

SILVERTHORNE TOWN COUNCIL
Meeting Minutes
Wednesday, June 24, 2015

CALL TO ORDER/ROLL CALL/APPROVAL OF AGENDA:

Those members present and answering Roll Call were Mayor Bruce Butler, Council Members 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, Senior Planner Lina Lesmes, Planning Manager Matt Gennett, Town Attorney Kendra Carberry and Town Clerk Michele Miller.

The Pledge of Allegiance was recited by those present.

STAFF COMMENTS:

Cook updated Council on upcoming Recreation Center and Pavilion events.

COUNCIL COMMENTS:

None

CITIZEN COMMENTS:

None.

CONSENT CALENDAR:

SANDQUIST MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE MINUTES FROM JUNE 9 & JUNE 10, 2015 AND RESOLUTION 2015-12, A RESOLUTION AUTHORIZING THE TOWN TO AWARD THE RECREATION CENTER FLOORING PROJECT TO BLUE RIVER FLOORING. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

PUBLIC PRESENTATIONS:

A. High Country Conservation Center – Silverthorne Energy Smart Program

Marti James, Energy Programs Coordinator, Cody Jenson, Energy Program Manager and Matt Wright of High Country Conservation Center reviewed the EnergySmart Silverthorne program with Council.

LIQUOR BOARD:

A. Sunshine Café – Renewal of H & R Liquor License

CAMP MOVED TO APPROVE SUNSHINE CAFÉ'S RENEWAL OF HOTEL & RESTAURANT LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT.

ACTION ITEMS:

A. Preliminary Site Plan Approval – River’s Edge Condominiums, Riverview Subdivision, 421 Rainbow Drive, Lot 8R, Filing No. 2

Lina Lesmes, Senior Planner, presented the Preliminary Site for a mixed use development consisting of thirty-one residential condominiums and one commercial condominium in a three story building with enclosed parking. She reviewed her staff report and requested approval with Planning Commission’s recommended conditions.

Sandquist asked for clarification about the different classes of building materials.

Lesmes reviewed the different types of building materials and their classifications.

Richardson asked about the bike path, utility locations and easements. He asked if issues have been worked out regarding the proposed elevators.

Leidal stated the proposed elevators could be heard by the Board of Adjustments.

Camp asked for clarification on the number of units.

Lesmes stated there are thirty-one residential units.

Applicant.

Larry Feldman, 4th on 4th, Ltd., Applicant for Rivers Edge Condominiums, introduced his wife and his team to Council. He reviewed the project with Council, and explained how each of the conditions can be met, gave historic information and background about on lot. He highlighted the elements that were changed. He requested approval. In previous buildings they have used material that cost more on the bottom line. He is hoping to get some latitude to use more sustainable materials, so that the building looks the same twenty years from now. He is meeting the Town Code and he is not asking to change the Town Code, but he will come back before Council and make some requests for latitude, at a later date. He reviewed proposed parking, the obstacles in building a ten foot sidewalk, public art, and site signage. He made some suggestions on how to get full time residents in the units.

Jim Junge, Architect, stated they are totally invested in the goals and guidelines for this project in the Town Core. The goal is to be the residential center between the Recreation Center and Pavilion. He outlined the projects attractive streetscape oriented to pedestrians on the Blue River Trail connection, emphasized mountain town architectural character, double sided entries, four sided architecture, the parking design has a minimal visual impact and the fifty percent main floor glazing, pump house relocation, parking on Fourth Street, gathering area, bike repair station, the commercial area has been relocated and downsized to be along the bike path, trash area is part of the building, double garages open into the lobby, roof drive isle, covered decks add visual impacts, and private elevators. It has been great to work with staff member Lesmes.

Council questions

Sandquist asked about Fourth Street parking, she would prefer a ten foot sidewalk not a six foot one. She asked if Feldman had approached the Factory Stores about widening the sidewalk.

Feldman stated he met with Factory Store representatives at the site and discussed at ten foot sidewalk. He reviewed his plan to demolish the sidewalk, build a 10 foot sidewalk, and move the parking spaces five feet forward. He has not heard back from the Factory Stores. He had to make a decision when he submitted the plans. The six foot sidewalk is all he can do at this time.

Richardson asked if Fourth Street is actually a street or a driveway.

Linfield stated it is a right of way. It was dedicated as a street originally that will never be built. The twenty-four foot width is a parking lot width.

Eddie O’Brien, Realtor and EDAC member stated this is a great project, it fits right in the plans for the Town Center. He is very happy about all the recent projects being approved by Council. He also mentioned that he supports on street parking.

Council comments.

Fowler supports the use of Hardy Plank in the project, it looks fantastic and lasts forever, and he also supports the building height. He feels the project meets the spirit of the Town Code.

Richardson agreed with Fowler.

Butler encouraged Feldman to keep working with Town staff on the Hardy Plank. The intent of the Town Code is not to have a dated looking project.

Long suggested that the Design Standards may need to be reworded. She supports the use of Hardy Plank. This is a solid project and she appreciates the applicant using brick on the building, and she appreciates all the efforts Feldman has made on this project.

Camp supports Hardy Plank, it lasts long and doesn't deteriorate. There are a limited amount proposed for the project, this is a good project and adds a lot to Silverthorne.

Richardson has liked the project process and now we have a good project because of it.

Sandquist agrees with other comments, she is ok with the Hardy Plank and the extra building height; she likes the under covered parking, and the design of building.

Butler echoes the comments previously made. He is concerned about how this building will age, when the landscaping matures. He suggested following the Town Code on the number of plantings. Snow storage is constrained on the site and many plantings could eventually be plowed over. He supports this project and the applicant's thoughts on attracting work force housing. Maybe the Town can help with discussions regarding the ten foot sidewalk. He appreciates the efforts made by the developer.

Long asked about the landscaping code and credit for public art towards landscaping. Trees are great but too many on a site can look unnatural.

Lesmes stated yes there is a credit available for landscaping with public art.

FOWLER MOVED TO APPROVE THE RIVERS EDGE AT SILVERTHORNE CONDOMINIUMS WITH THE FOLLOWING PLANNING COMMISSION RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION TEN:

AGREES

- 1. THAT A CONDITIONAL USE PERMIT APPLICATION FOR THE USE 'MULTI-FAMILY DWELLING UNIT' BE SUBMITTED WITH THE FINAL SITE PLAN.**
- 2. THAT A MINOR SUBDIVISION PLAT BE SUBMITTED WITH THE FINAL SITE PLAN TO VACATE, RELOCATE, AND/OR CREATE EASEMENTS ON LOT 8R, RIVERVIEW SUBDIVISION #2.**
- 3. THAT THE APPLICANT REQUEST APPROVAL OF A LICENSE AGREEMENT AND ASSOCIATED EXHIBITS FOR ALL IMPROVEMENTS IN THE PUBLIC RIGHT-OF-WAY AND ON TOWN-OWNED PROPERTY.**
- 4. THAT THE EXACT RECONFIGURATION OF THE 4TH STREET PARKING BE SUBMITTED WITH THE FINAL SITE PLAN.**
- 5. THAT THE PATIO/COURTYARD LOCATED WITHIN THE 10-FOOT SNOW STORAGE EASEMENT BE RELOCATED OR REVISED SUCH THAT IT IS NOT WITHIN THE SNOW STORAGE EASEMENT.**
- 6. THAT THE LANDSCAPE PLAN BE REVISED TO REMOVE TREES FROM UTILITY EASEMENTS, AS REQUIRED BY STANDARD 3.5.4 OF THE TOWN CORE DISTRICT DESIGN STANDARDS AND GUIDELINES.**
- 7. THAT DETAILS BE PROVIDED REGARDING ROOT BARRIERS FOR TREES PLANTED NEAR WALKWAYS, AS REQUIRED BY STANDARD 3.5.5 OF THE TOWN CORE DISTRICT DESIGN STANDARDS AND GUIDELINES.**
- 8. THAT A REVISED LIGHTING PLAN SHOW THE UPDATED SITE AND BUILDING LAYOUT, ALL PROPOSED LIGHT FIXTURES, AND LIGHTING LEVELS ALONG ALL**

SITE PROPERTY LINES.

9. THAT ALL UTILITY, TELECOMMUNICATIONS, GROUND MOUNTED, AND ROOF TOP EQUIPMENT BE SHOWN ON THE FINAL SITE PLAN, AS REQUIRED BY STANDARD 3.7.1 OF THE TOWN CORE DISTRICT DESIGN STANDARDS AND GUIDELINES.
 - ~~10. THAT THE BUILDING MATERIALS BE REVISED SUCH THAT CLASS II BUILDING MATERIALS DO NOT EXCEED 25% OF BUILDING FACADES, AS REQUIRED BY STANDARD 4.3.3 OF THE TOWN CORE DISTRICT DESIGN STANDARDS AND GUIDELINES.~~
 11. THAT THE COLOR AND MATERIAL BOARD BE REVISED WITH THE SUBMITTAL OF THE FINAL SITE PLAN SHOWING THE FINAL SELECTION OF COLORS AND MATERIALS, AS REQUIRED BY STANDARD 4.3.6 OF THE TOWN CORE DISTRICT DESIGN STANDARDS AND GUIDELINES.
 12. THAT THE COMMENTS OF THE TOWN ENGINEER, ATTACHED AS EXHIBIT C, BE ADDRESSED WITH THE SUBMITTAL OF THE FINAL SITE PLAN.
- MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT.

B. Ordinance 2015-06; an Ordinance Amending Chapter 4, Article IV, Zoning Districts and Standards, 1st Reading

Lina Lesmes, Senior Planner, presented Ordinance 2015-06 to Council for consideration. She reviewed her staff memo and recommended approval. The Riverfront Mixed Use Zone District, will be renamed "Riverfront Zone District" and update the standards therein.

Butler thanked staff for their hard work, he is excited with the product we are putting out there.

CAMP MOVED TO APPROVE ORDINANCE NO. 2015-06, AN ORDINANCE AMENDING CHAPTER, ARTICLE IV, ZONING DISTRICTS AND STANDARDS, CONCERNING THE RIVERFRONT MIXED USE ZONE DISTRICT AND THE USE SCHEDULE, ON FIRST READING. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL

C. Ordinance 2015-07; an Ordinance Amending Chapter 4, Article VI, Section 4-6-2(h), concerning the Design Districts, 1st Reading

Lina Lesmes, Senior Planner, presented Ordinance 2015-07 to Council for consideration. Ordinance 2015-07 proposes amendments to the Riverfront District Design Standards to update the language and format. She reviewed her staff memo dated 6-18-15 and recommended approval.

Long asked about materials and allowing Hardy Board. Where would that change in wording appear?

Lesmes stated the restriction on materials is only applied to the Town Core.

Council discussed a possible change of wording to address the use of Hardy Plank.

RICHARDSON MOVED TO APPROVE ORDINANCE 2015-07, AN ORDINANCE AMENDING CHAPTER 4, ARTICLE VI, SECTION 4-6-2(h), DESIGN DISTRICTS, TO AMEND AND UPDATE THE RIVERFRONT DISTRICT DESIGN STANDARDS AND GUIDELINES AND ADOPT THEM AS REGULATION, ON FIRST READING. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL

D. Ordinance 2015-09, an Ordinance Amending Chapter 2, Article VII, Section 8, to allow on street parking with the Town Core District, 1st Reading

Mark Leidal, Assistant Town Manager, presented Ordinance 2015-09 for Council's consideration. Ordinance 2015-09 proposes the addition of language to Section 2-7-8 of the Town Code to allow

for on street parking in posted and marked spaces within the Town Core District. He reviewed his staff report and requested approval.

Long asked about the costs associated with on street parking, Bryan Avenue is not wide enough for on street parking.

Leidal stated it will cost the Town money if streets have to be widened. The first project, Rainbow Drive does not need to be widened. This is just a first step in allowing parking in designated spaces. Council would have to approve specific on street parking locations.

Sandquist feels this Ordinance gives Council the flexibility to look at streets and add parking as development happens.

Butler would like the Ordinance in place in case there are areas that develop and they need on street parking, it could at least be considered.

Richardson is fundamentally against it, as businesses redevelop they should have to pay for the additional parking needs.

Leidal stated we do have a Parking District that businesses have signed into. This is the first step.

FOWLER MOVED TO APPROVE ORDINANCE 2015-09, AN ORDINANCE AMENDING CHAPTER 2, ARTICLE VIII, SECTION 8, TO ALLOW ON STREET PARKING WITHIN THE TOWN CORE DISTRICT, ON FIRST READING. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL. (LONG NAY)

E. Ordinance 2015-10, an Ordinance Approving the Conveyance of Real Property (Public Service Company of Colorado Easement Lot 10, Silverthorn Colorado Subdivision), 1st Reading

Bill Linfield, Public Works Director, presented Ordinance 2015-10 to Council for consideration. This Ordinance grants a non-exclusive easement to Public Service Company of Colorado across a portion of Town owned Lot 10, Silverthorn Subdivision. He reviewed the staff report and recommended approval.

Long asked if Public Service will be vacating their other easement

Linfield stated yes and he has it in writing.

Council discussed the easements in the area.

Richardson asked if Novak has talked to CDOT about an access point.

Linfield stated not since the Final Site approval.

SANDQUIST MOVED TO APPROVE ORDINANCE NO. 2015-10, AN ORDINANCE APPROVING THE CONVEYANCE OF REAL PROPERTY (PUBLIC SERVICE COMPANY OF COLORADO EASEMENT – LOT 10, SILVERTHORNE COLORADO SUBDIVISION) ON FIRST READING. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL

F. Resolution 2015-11; a Resolution awarding the Pool Boiler Replacement to Westco Systems Inc.

Paul Kulik, Aquatics Coordinator, presented Resolution 2015-11 to Council for consideration. He reviewed the bidding process, the six bids received, and his staff memo. He recommended the bid be awarded to Westco Systems, Inc. for the Pool Boiler replacement project in an amount not to exceed \$236,200.

Richardson asked why two bidders were disqualified.

Kulik stated they did not follow bid procedures.

Fowler asked if the two disqualified bids were given a chance to resubmit their bids.

Kulik stated yes, there were still issues with their following bid procedures.

CAMP MOVE TO APPROVE RESOLUTION 2015-11, A RESOLUTION AUTHORIZING THE TOWN TO CONTRACT WITH WESTCO SYSTEMS FOR THE POOL BOILER REPLACEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$236,200. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

DISCUSSION ITEMS:

Long asked Council if they would be interested in directing staff to look into a greenhouse on the Town's property located on Blue River Parkway.

SANDQUIST MOVED TO GO INTO EXECUTIVE SESSION AT 8:45 P.M. PURSUANT TO CHARTER SECTION 4.13(C) AND CRS 24-6-402(4)(e) TO INSTRUCT NEGOTIATORS ON ECONOMIC DEVELOPMENT IN THE TOWN OF SILVERTHORNE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL

SHE 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(4)(e) to Instruct Negotiators on Economic Development in the Town of Silverthorne.

EXECUTIVE SESSION CONCLUDED AND MEETING AND ADJOURNED AT 9:20 P.M.

INFORMATIONAL:

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.