

**SILVERTHORNE TOWN COUNCIL MEETING
AGENDA FOR JULY 8, 2015- 6:00 PM**



- I. CALL TO ORDER/ROLL CALL/APPROVAL OF AGENDA**
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- III. STAFF COMMENTS 1**
- IV. COUNCIL COMMENTS**
- V. CITIZENS' COMMENTS***
- VI. CONSENT CALENDAR**
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* 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.

SPECIAL MEETING: JULY 7, 2015 – 5:00 P.M.
PLANNING COMMISSION/EDAC INTERVIEWS

COUNCIL WORK SESSION: JULY 7, 2015 – 6:00 P.M.
TOPIC: COUNCIL COMMITTEE ASSIGNMENTS

**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.*

JULY 21

MARIJUANA REGULATIONS

AUGUST 11

OPEN

AUGUST 25

OPEN

SEPTEMBER 8

OPEN

FUTURE WORK SESSION DISCUSSION ITEMS:

July 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
		EDAC Meeting				
		Work Session	Council Meeting			
12	13	14	15	16	17	18
		Trail to Trail Walk & Hike	Court			
		Planning Commission		SPORT Meeting		
19	20	21	22	23	24	25
		Girl Power—Pavilion				
		Parks Master Plan				
		Public Meeting—Rec Center				
		Work Session	Council Meeting		Payroll	
26	27	28	29	30	31	
		Yoga Basics—Pavilion				

Rec Center Closed—Independence Day

TOS Holiday for Independence Day

Slide N Slip—Rainbow Park

September 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	31	1	2	3	4	5
Rec Center Closed for upgrades and maintenance	EDAC				Doo Wop Denny— Pavilion	
		Planning Commission			Payroll	
6	7	8	9	10	11	12
	Rec Center Hours: 10:00 am—6:00 pm					
	TOS Holiday	Work Session	Council Meeting			
13	14	15	16	17	18	19
			Court			
		Planning Commission		SPORT Meeting	Payroll	
20	21	22	23	24	25	26
		Work Session	Council Meeting			
27	28	29	30			

October 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
		Planning Commission			Payroll	
11	12	13	14	15	16	17
		Work Session	Council Meeting			
18	19	20	21	22	23	24
				SPORT Meeting	Payroll	
		Planning Commission	Court			
25	26	27	28	29	30	31
		Work Session	Council Meeting		Payroll	

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: July 2, 2015 for Meeting of July 8, 2015
SUBJECT: Staff Comments

Attached please find the Staff Comments and Updates for the July 8, 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 – July 1, 2015

Fiscal Year 2014 – The final audited statements have been reviewed by our Auditors, Swanhorst & Co., LLC, and they have officially released their opinion letter. Fiscal year 2014 is officially complete! The reports have been assembled and placed on the Town's website. The 2014 report has also been submitted to the State and the Government Finance Officers Association for review.

Lease/Purchase RFP – The Town released a Request for Proposal (RFP) for a lease purchase financing for the new Street Sweeper. Responses are due by 4PM on July 1st. The recommended vendor will be brought to Council at the July 8th meeting.

Payroll Time Entry – In 2014, the Town upgraded to a new payroll and human resource software system. The upgrade was a major project, taking most of the year to fine tune the system to where it's fully understood and functioning at full capacity. The last major piece of this conversion is adding a time entry system. The system works like a time clock system where employees check-in and out of their work day. However, it's much more than that as its computerized and will download into our payroll system thus eliminating the data entry of timesheets. It will help employees and supervisors track time worked and time off.

We're using the Joint Sewer Authority (JSA) as our BETA site for setting up the time entry process. The JSA employees have been clocking in on the system, assisting with working out issues and giving us feedback. We understand the importance of employees and managers needing to be comfortable with the system and will not be rushing to use this system without full training and understanding. We have a team meeting scheduled every Thursday to help track the process. We'll also be developing an employee and supervisor guide book. We plan to be using the system with an actual payroll in July for the JSA payroll.

2015 Planning Commission and EDAC Vacancies – Vacancies for Planning Commission and EDAC have been advertised and applications have been submitted. Council will conduct interviews at 5:00 p.m. July 7 and will make appointments at the July 8 Council Meeting.

Marijuana Excise Tax Rebate – Per the TABOR Amendment and State law, the Town is required to return excess collected excise tax for taxes collected more than the maximum annual amount stated in the 2013 election question. Even though the Town is exempt from rebating overages in general, the first year is exempt from the normal exemption. The amount of the overage is approximately \$36,000. The best method of rebating the overage is to allow retail marijuana sales to be exempt from the excise tax until the full amount of retail sales has been exempt. The Town has estimated it will take approximately three months of exempt sale. Staff has been working with the local MJ business owner. The exemption will begin July 1, 2015 and should be completed by the end of September of 2015. Staff will be receiving monthly reports through August and then week reports until the rebate is completed.

Affordable Health Care Act – There will be new Federal compliance requirements that employers will be required to meet starting in January of 2016 as it relates to the Affordable Health Care Act. They include the requirement to produce new IRS forms 1094-C and 1095-C. The 1094-C form is a fairly simplistic report that declares the employer's status as to number of employees (full and part time) and number of employees that qualify and/or receive health insurance from the Town. The 1095-C is a report that will be given to each employee if the employee and their dependents are taking our health insurance or qualifies for our insurance but has chosen not to take our insurance. This includes reports for dependent.

Several of our staff have been attending training on the new requirements. Nothing about the 1095-C reports is simple and will require us to be educated and prepared as the January 2016 deadline approaches. The Town has contracted with our payroll/human resource software vendor, Ascentis, for producing the 1095-C reports and forms.

2015 Non-Profit Grants – The Summit County 2016 Non-Profit Grant cycle is getting underway; advertising will begin in the Summit Daily on Monday, July 6, 2015 and this year's deadline will be Monday, August 17, 2015 at 12:00 noon. Applications for cash grants as well as in-kind uses of the Town's facilities will be available on the website and at Town Hall starting Monday, July 6, 2015. A budget for this program of \$40,000 plus in-kind support was again budgeted for the 2016 fiscal year. Susan Schulman manages this program for the Town.

Public Safety – July 2, 2015

Incidents – On 06-16-15 Silverthorne officers were dispatched to the report of a crazy person, not wearing a shirt, banging on random doors shouting the name "Mo." By the time officers arrived the suspect had already left, but they knew who "Mo" was as he has been a prominent source of calls for service over the years. After talking to "Mo" officers figured out who the shirtless man was and tried to contact him by phone, with no luck. This information was relayed to the night shift. Later in the evening the guy showed up again, under the influence of alcohol, yet again acting out of control. Seems he wanted to fight "Mo" because he suspected his imaginary girlfriend was cheating on him with this person. This time he could not leave before officers arrived and he was taken into custody.

On 06-17-15 Officer Fliszar was participating in municipal court and recognized one of the defendants as being a suspected drug dealer in the county. Wanting to get more information on this person she went outside to look at the cars in the lot. While out in the parking lot she found somebody who had been sitting in their car since court began, so she decided to see if they were ok. Turned out the person was the ride for the suspected dealer. After talking with the driver and checking on his wellbeing, Officer Fliszar got permission to search the car. He probably shouldn't have given her permission because there were illegal drugs in the car. Both the driver and the lady in court ended up being arrested and charged with multiple criminal charges.

On 06-29-15 Officer Siderfin was dispatched to a medical at the McDonald's restaurant in

town. When he arrived he quickly determined this was more than just a medical when he saw a vehicle precariously perched on the wooden steps on the hillside. There were multiple people holding the vehicle, preventing it from rolling over. Looking at where the vehicle had come from, there was a path of destruction from the drive-through lane, where the vehicle went straight through a turn, to where it had come to rest between two buildings and multiple trees. The investigation determined the driver had a medical seizure, taking her passengers on an e-ticket ride down the hill towards Pizza Hut. Although she was not charged for the accident, since this was medically related, she did end up having a warrant for her arrest. After she was medically cleared, she was transported to the jail to deal with her prior issues.

In addition to the above officers handled; multiple motor vehicle accidents, thefts, disturbances, frauds, harassments, intoxicated persons, road closures, numerous other agency assists, as well as business and area checks. Officers also participated in municipal court and county court proceedings, and initiated many traffic citations and warnings.

Feedback from the community –The Chief attended a thank you dinner put on by the Latino Police Citizens Academy graduates. The group made dinner for all the Chief's and Sheriff .The group was thankful for the program we put together for them.

Department Training – Officer Coker attended a less lethal training providing him with the knowledge to be able to train and certify our officers with less lethal choices, i.e.: OC spray, bean bag rounds, etc. Officer Siderfin attended a class to become a rifle instructor for our department. Several members of the department attended an instructional seminar put on by the DA's office covering paperless discovery, which will be implemented state wide. Officer Fliszar put on a CPR class and taught the newest techniques to the department.

Staffing – The department is down one officer and one sergeant. The interviews for the officer position went well with two candidates moving forward to the next step before a decision is made.

Public Works – July 1, 2015

Streets – We are extremely busy getting ready for the Cutler Repaving work later this month. Cutler is currently working in Copper, then Summit Cove, then here in Silverthorne for three weeks in late July/early August.

Parks – Flower planting was completed this week. We also replaced all the flower bed soils in the medians, and are working to replace mulch areas all over Town.

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.

Rainbow Tennis and Basketball – Fencing is now up and the final colored surfaces are underway. The new courts should be open sometime next week, then we will be re-surfacing Trent.

Flags – US Flags will be up for the 4th of July weekend.

Highway 9 overlay project – Dan and I toured Highway 9 with CDOT as we work to prioritize bike path ramps that will be upgraded along the roadside. Not all will be upgraded, so we are helping prioritize.

JSA – We are nearing completion of the Nutrient Removal project at the plant. This is Mike Bittner's final month on staff there. He will be sorely missed.

Community Development Department – July 1, 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, meet with FEMA concerning the flood plain, and Army Corps of Engineers concerning wetlands.

Xcel Substation – An agreement is in place for the road restoration of Bald Eagle Road. As spring approaches, staff has met with representatives of Xcel concerning the condition of Bald Eagle Road and the necessary improvement to return it to pre substation construction status.

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 has completed the Riverfront Standards and zoning revisions. The next district will be the Town Core Periphery.

South Maryland Creek Ranch – Town Council approved the Major PUD Amendment for South Maryland Creek Ranch.

Recruitment – The Community Development Department has hired Greg Roy as the Planner I/Community Service Officer. Greg started on June 3 and we are excited to have him as part of the team.

Lake Dillon Theatre Company (LDTC) – The design charrettes for the new theatre project were held on May 20 and 28 with the team of Shaw/Semple Brown/Mary Hart. Tours of like facilities were held on June 12.

Arctic Placer Park, Trent Park, Angler Mountain Open Space – DHM Design will be designing the master plans for these parks. The Arctic Placer Open house was held on June 3 and was very well attended. The Trent Open House was held on June 11 and Angler Mountain Open Space was held on June 16.

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):

- Foxfield Townhomes – PUD/Site Plan
- Angry James Brewery – Subdivision and Site Plan
- Angler Mountain Ranch Filing No. 3 – Third Amendment
- Marshall's – Site Plan Modification

Recreation and Culture – July 1, 2015

Recreation Center – Two hundred thirty gymnasts, more than 20 coaches and approximately 700 spectators visited the Recreation Center for the CARA Gymnastics Meet this past weekend. This home meet consists of 3 smaller meets where Optional Level gymnasts compete on Friday afternoon, Compulsory Level 3 gymnasts compete on Saturday morning and Compulsory Level 4 gymnasts compete on Saturday afternoon. Head Coach, Ben Way, led 33 Storm Gymnasts and about 200 other gymnasts from Commerce City, Windsor, TNT, Adventure, Lakewood and Hyland Hills through a successful event.

Rainbow Park was the place to be on Thursday, June 25 for the annual Summer Evening of Family Fun event. The park was filled with family fun activities from 6:00 p.m. - 8:00 p.m. The FREE event will included a rock climbing wall, a mountain bike course (bikes provided), two tumble bubbles, portrait sketches for children, a bounce house obstacle course, a bean bag toss and free hot dogs, chips and ice cream sandwiches. Turner Morris was on board as a title sponsor again this year, and they provided staff to grill and manage the food stations for the evening.

Wednesday, June 24, was Bike to Work Day, and Silverthorne hosted an aid station for bike commuters outside of Red Buffalo Coffee and Tea. Coffee, juice and snacks were offered to approximately 35 cyclists who passed by on their way to work between 7:00 a.m. and 9:00 a.m. The aid station also had bike mechanics, from Wilderness Sports, available to assist with any problems or to answer any bike related questions. Thanks to Red Buffalo Coffee & Tea and Wilderness Sports for their sponsorship of the Silverthorne aid station.

The Bike to Work Day celebration continued in the evening at the Frisco Marian for an all-county event. Silverthorne staffers Nancy Bomgardner and Susan Schulman represented the Town with a booth where Town swag and information was distributed to participants.

The popular summer Slide & Slip giant outdoor water slide has returned this summer with three Friday afternoons in Rainbow Park. The special activity costs just one dollar per person for as many slides as you can get during the 1:00 p.m.-2:30 p.m. time slot. The first slide was on June 26, with well over 100 participants. The next Slide & Slips are on July 10 and August 7. All event proceeds go to the Recreation Center Youth Scholarship Fund.

A five-visit punch pass was donated to the Summit County Senior's Rummage Sale. The value of the pass is \$60.

Upcoming Pavilion Events:

Jul 1	Council Goal Setting Session
July 2	Wedding
July 3	Wedding
July 5	Wedding
July 7	Yoga (X2)
July 8	Chamber Board Meeting
July 9	Yoga
July 9	Wedding
July 10	Quinceanera
July 11	Wedding
July 12	Wedding
July 14	Yoga (X2)
July 16	Wedding
July 17	Wedding
July 18	Wedding
July 19	Wedding
July 20	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: July 1, 2015
SUBJECT: Town Council Meeting Minutes from June 24, 2015

SUMMARY: Staff asks the Town Council to approve the Town Council Meeting minutes from June 24, 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, 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 AUTHOIZING THE TOWN TO CONTRACT WITH WESTCO SYSTEMS FOR THE POOL BOILER REPLACMENT 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.

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Town of Silverthorne
Council Agenda Memorandum
Consent Calendar

TO: Mayor Bruce and Town Council
THRU: Ryan Hyland, Town Manager *RH*
FROM: Bill Linfield, Public Works Director
DATE: July 1, 2015
SUBJECT: Resolution 2015-13, a Resolution authorizing the Town to purchase a 2015 Freightliner plow truck

SUMMARY: This resolution authorizes the Town to purchase a 2015 Freightliner plow truck, at a cost of \$244,183.00. This will replace our 2005 International plow truck, which we will then sell.

BACKGROUND: The 2015 budget included purchase of this replacement plow truck. (budget \$305,000) The Town solicited bids for this new plow truck from Kenworth, International, and Freightliner. Kenworth chose not to bid. International's bid was approximately \$13,000 higher than Freightliner. The truck was specified as a 4 wheel drive truck, and will be replacing a 2 wheel drive truck. We have found over the years that 4 wheel drive is an important feature for our plow trucks, given the grades of many of our streets, several of which exceed 8% grade.

The truck itself would be purchased from Trans West Freightliner. The plow, sander, and dump bed will all be purchased from Auto Truck Group, after all those features were also bid out and although Auto Truck Group was slightly higher in price than two other quotes, only their equipment met our specifications including being interchangeable with our other plow trucks, important for times when any one of our trucks is out of use. In addition, the equipment from Auto Truck Group includes a snow box, which we can use in winter for hauling snow when the sander is not needed. All of the bed implements will be set up such that they can easily be changed over depending on our needs that day.

Once we place our order, estimated delivery is approximately 8 months. We will keep our old machine until the new one arrives and is placed in service.

FINANCIAL IMPLICATIONS The total purchase price of just under \$245,000 is well under our budget of \$305,000, as truck prices did not increase as much as we feared over the past year.

STAFF RECOMMENDATION: Staff recommends that Council authorize the Mayor to sign Resolution No. 2015-13, a Resolution authorizing the Town to purchase a new Freightliner Plow Truck, per this staff memo, in an amount not to exceed \$244,183.

PROPOSED MOTION: "I MOVE TO APPROVE RESOLUTION 2015-13, A RESOLUTION AUTHORIZING THE TOWN TO PURCHASE A NEW FREIGHTLINER PLOW TRUCK, PER THE STAFF MEMO DATED JULY 1, 2015 IN AN AMOUNT NOT TO EXCEED \$244,183.

TOWN OF SILVERTHORNE, COLORADO
Resolution No. 2015-13

A RESOLUTION Authorizing Purchase of a 2015 Freightliner plow truck in an amount not to exceed \$244,183.

WHEREAS the Town budgeted purchase of a new plow truck in 2015, and

WHEREAS the Town has met requirements for bidding the project, and

WHEREAS the total cost of the purchase will fall within the total fleet budget for 2015,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SILVERTHORNE THAT THE TOWN IS AUTHORIZED TO PURCHASE A FREIGHTLINER PLOW TRUCK IN AN AMOUNT NOT TO EXCEED \$244,183 AS OUTLINED IN THE STAFF MEMO DATED JULY 1, 2015.

INTRODUCED, READ, APPROVED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF SILVERTHORNE, COLORADO THIS 8TH DAY OF JULY, 2015.

Bruce Butler, Mayor

Attest:

By _____
Michele Miller, Town Clerk

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Town of Silverthorne
Council Agenda Memorandum

To: Mayor and Town Council
From: Donna Braun, Finance Director
Thru: Ryan Hyland, Town Manager
Date: July 1, 2015 for meeting of July 8, 2015
Subject: Resolution 2015-14 Approving Lease/Purchase with 1st Bank of Summit County

SUMMARY:

Lease/Purchases financing are considered during the budget process for equipment and/or vehicles with a life of five years or more and a combined value of \$100,000 or more. The lease concept was presented and accepted by Council during the 2015 budget process. Staff is requesting approval to enter into lease/purchase financing for the item noted below. The lease will have a principal of \$274,365 to be paid in ten semi-annual payments of \$29,556.29 at an interest rate of 2.75%.

BACKGROUND:

Through the 2014 and 2015 budget appropriations process and 2014 purchase resolution, Council approved the replacement of the 2002 Johnston sweeper.

The 2014 Johnston sweeper replaced a 2002 Johnston sweeper and cost \$274,365. The replaced sweeper was sold for \$30,000 in March of 2015. The 2014 sweeper was ordered in 2014 and arrived in 2015. Thus, the budgeting of the sweeper spans over two budget years.

Staff requested bids from five firms who specialize in municipal lease/purchase financing. One firm responded. The firm that responded is 1st Bank of Summit County which submitted a bid of 2.75% with a processing fee of \$0. Semi-annual payments, due approximately on January 1st and July 1st for each on the next five years, will be \$29,556. There is no penalty for prepayment. Even with no other bids, we believe this is a quality bid. The Sales Tax Capital Fund budget was budgeting for a semi-annual payment of \$34,850. The bid is \$5,294 less per payment than budgeted or a saving \$10,588 per year for budget years 2016 – 2020. For budget year 2015, the Town budgeted payments of \$69,700. However, because this lease will not be completed until after July 1st, the first payment will not be due until January of 2016. Therefore the 2015 budget will not see \$69,700 spent in 2015. If approved, staff intends to have this financing completed no later than the end of July.

An analysis of the lease/purchase program was conducted during the budget process and presentation. As in the past, using this type of program allows the Town to keep an adequate supply of equipment and vehicles that requires low maintenance.

PREVIOUS COUNCIL ACTION:

Council previously approved the purchase the above stated equipment during the 2014 budget appropriation and approved the purchase of the sweeper at the 2014 June 25th Council meeting.

STAFF RECOMMENDATION:

Staff recommends Council approve Resolution #2015-14.

PROPOSED MOTION:

Consent calendar item, no specific motion required.

**TOWN OF SILVERTHORNE, COLORADO
RESOLUTION NO. 2015-14**

**A RESOLUTION APPROVING A LEASE/PURCHASE WITH 1ST BANK OF SUMMIT COUNTY FOR
A JOHNSTON VACUUM SWEEPER**

WHEREAS, the Town of Silverthorne had determined that a true and very real need exists for the acquisition of the property stated above;

WHEREAS, the Town of Silverthorne has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange for the acquisition of the property stated above;

WHEREAS, the Town of Silverthorne has budgeted, received and paid for the noted heavy equipment during 2015;

WHEREAS, the Town of Silverthorne has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange the financing through a lease/purchase for the property stated above;

WHEREAS, the Town of Silverthorne will lease/purchase the property stated above with a lease based on ten semi-annual payments of \$29,566.29 with a 2.75% interest rate, total principal of \$274,365 and total interest payments of \$21,297.87.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SILVERTHORNE THAT:

1. The terms of said Municipal Lease and Option Agreement are in the best interest of the Town of Silverthorne designates and confirms the persons to execute and deliver, and to witness (or attest), respectively, the Municipal Lease and Option Agreement and any related documents necessary to the consummation of the transactions contemplated by the Municipal Lease and Option Agreement.
2. The Town of Silverthorne hereby represents that they reasonably anticipates amount of qualified tax-exempt obligations which have been and will be issued by the Town does not exceed \$10,000,000 for the "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Internal Revenue Code.

INTRODUCED, READ, APPROVED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF SILVERTHORNE, COLORADO THIS ____ DAY OF _____, 2015.

Bruce Butler, Mayor

Attest:

By _____

Michele Miller, Town Clerk

Town of Silverthorne
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: July 1, 2015, for the meeting of July 8, 2015
SUBJECT: Replat - Angler Mountain Ranch Lakeside Townhomes, Filing No. 6 – First Amendment (Project No. PT2014-21)

SUMMARY: The applicant, Tim Crane of Compass Homes Development, is requesting approval of a Replat for Angler Mountain Ranch (AMR) Lakeside Townhomes, Filing No. 6 – First Amendment. The proposed Replat is for six duplex structures, Buildings 34-39, currently under construction on Lot 6A, AMR Lakeside Townhomes, Filing No. 6. The Replat will create a total of 12 duplex units, and will result in each of the aforementioned buildings having an A and B side, subdivided as separate units.

PREVIOUS COUNCIL ACTION: On May 10, 2006, the Town Council approved the Sketch Plan for a Major PUD Amendment and Residential Subdivision for Angler Mountain Ranch which contemplated a total of 241 residential units. Town Council on February 14, 2007, approved the AMR Preliminary Subdivision Plat with conditions. Final PUD zoning on the AMR project was approved by Town Council on May 14, 2007. Final Subdivision approval for Filings 1 and 2 of AMR was approved in May of 2007, and Filings 3 and 4 were approved in June of 2008. On May 13, 2009, the AMR Major PUD Amendment was given Final Plan approval reducing the total density to 232 residential units. Angler Mountain Ranch Lakeside Townhomes, Filing No. 5 was approved by Council on July 10, 2013. The Final Site Plan for AMR Lakeside Townhomes, Filing No. 5 – First Amendment, was approved by Council on August 14, 2013. On April 9, 2014 Council approved the Preliminary Subdivision and Site Plan for AMR Lakeside Townhomes, Filing No. 6. On September 10, 2014, Council approved the Minor Subdivision and Final Site Plan for Tract 6A, AMR Lakeside Townhomes, Filing No. 6.

BACKGROUND: As the development of Angler Mountain Ranch Lakeside Townhomes proceeds, the applicant will continue to submit replat applications to subdivide the duplex and triplex structures into individual units for sale as each building is constructed, in keeping with the process followed for previous filings. AMR Lakeside Townhomes will result in a final density of 127 units out of a total of 130 units approved in Planning Area 2 ('PA-2'). The development of AMR Lakeside Townhomes, Filing No. 6 – First Amendment, is progressing in phases as did the previous filings of Lakeside Townhomes. AMR Lakeside Townhomes, Filing No. 6 – First Amendment, subdivides Buildings 34-39 into separate units as shown on the Replat attached to this memo (Exhibit A).

DISCUSSION: The proposed Replat subdivides Buildings 34-39 to permit the sale of each separated duplex unit. Typical General Common Elements (GCE) and Limited Common Elements (LCE) are also being created with the proposed Replat. Staff finds that this Replat application meets the requirements of Town Code Section 4-5-14(3), which regulates the replatting of land.

Town of Silverthorne
Council Agenda Memorandum

STAFF RECOMMENDATION: Staff recommends approval of the Replat for Angler Mountain Ranch Lakeside Townhomes, Filing No. 6 – First Amendment.

PROPOSED MOTION: No motion is necessary; this proposal may be approved as part of the Consent Calendar.

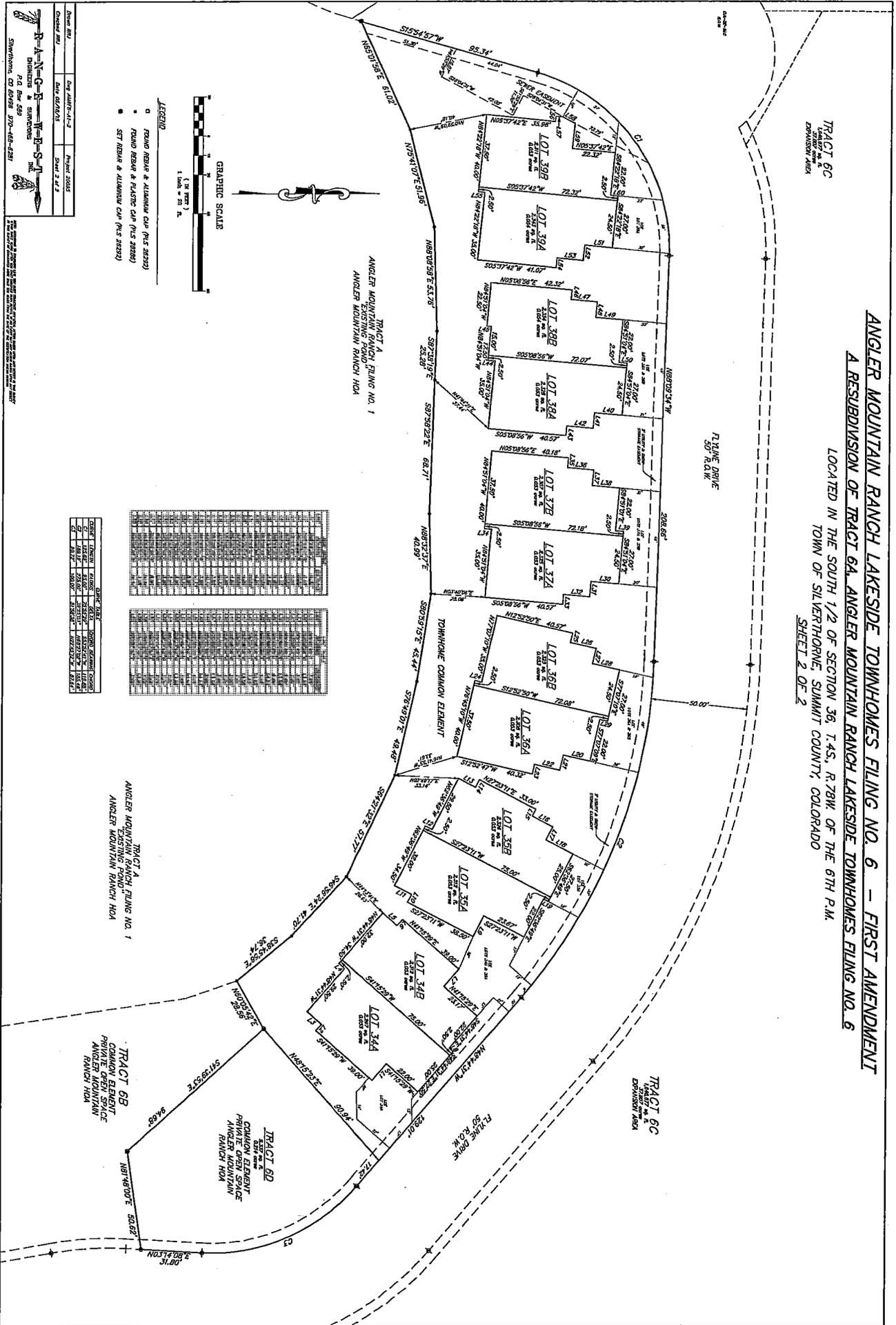
ALTERNATE MOTION: Remove item from the Consent Calendar and bring the Replat up for Council discussion.

ATTACHMENTS:

Exhibit A: Angler Mountain Ranch Lakeside Townhomes, Filing No. 6 – First Amendment

MANAGER'S COMMENTS:

ANGLER MOUNTAIN RANCH LAKESIDE TOWNHOMES FILING NO. 6 -- FIRST AMENDMENT
A RESUBDIVISION OF TRACT 6A, ANGLER MOUNTAIN RANCH LAKESIDE TOWNHOMES FILING NO. 6
 LOCATED IN THE SOUTH 1/2 OF SECTION 36, T.4S., R.78W. OF THE 6TH P.M.
 TOWN OF SILVERTHORNE, SUMMIT COUNTY, COLORADO
 SHEET 2 OF 2



- LEGEND**
- FOUND REBAR & ALUMINUM CAP (P.S. 28282)
 - FOUND REBAR & PLASTER CAP (P.S. 28280)
 - SET REBAR & ALUMINUM CAP (P.S. 28282)

TRACT	AREA (SQ. FT.)	AREA (ACRES)
TRACT 6A	1,146,000	26.11
TRACT 6B	1,146,000	26.11
TRACT 6C	1,146,000	26.11
TOTAL	3,438,000	78.33

R-A-N-C-E-W-R-S-I-T-E
 ENGINEERS & SURVEYORS
 P.O. Box 459
 SILVERTHORNE, CO 80443
 970-468-4281

Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
FROM: Ryan Hyland, Town Manager 
DATE: July 2, 2015 for meeting of July 8, 2015
SUBJECT: Council Committee Assignments

SUMMARY: Each year the Town Council reviews its board and committee assignments to external organizations, civic associations, internal committees and advisory committees. On an annual basis the Council designates the assignments for the coming year. This list also includes staff member designations.

BACKGROUND: The committee assignments are traditionally addressed after April of each year due to the municipal election timing, which is every other year. This year the discussion was delayed until a vacant seat on Town Council was filled. Town Council is scheduled to review all the assignments at their Work Session on July 7, 2015. This memo anticipates that action and holds a place on the July 8, 2015 Town Council agenda for formal approval of the assignment list.

PROPOSED MOTION: I move to approve the 2015 Town Council Board Assignments, as distributed.

ATTACHMENTS:

- 1) Town Council Board Assignments for 2015. (*To be distributed upon conclusion of the July 7, 2015, Work Session.*)
- 2) List of Committees with brief descriptions of purpose.

Art in Public Places - The Art in Public Places Committee is tasked with assisting the Town in identifying appropriate art locations and obtaining art that will be displayed in Silverthorne, which will create a sense of community and vibrancy. Town of Silverthorne entity.

***C.A.R.E. Council** – (Community Accessing Resources Effectively) Part of Summit County Government.

CARE Council PURPOSE: To promote, streamline, and facilitate development and maintenance of services for children, youth, seniors and families in Summit County.

CARE Council FUNCTIONS:

Advise the Board of County Commissioners in matters related to the delivery of health and human services to the children, youth and families of Summit County

Strategic planning to guide public and private investment in development and maintenance of the system for delivering health and human services to the children, youth, and families of Summit County and to identify priority areas for broad-based community action.

Coordination and facilitation of mechanisms for information dissemination, program planning, and program evaluation in order to promote efficient and effective delivery of health and human services in Summit County.

Advocacy regarding local, state, and national policy affecting children, youth, and families in Summit County.

Organization capacity-building to ensure sustainability of an effective and efficient, public-private system for delivering health and human services.

Citizen Advisory Committee - The Citizens' Advisory Committee assists the Police Chief in defining, reviewing and making recommendations to the Council on matters related to public safety. Committee members also act as volunteers for police department activities. Town of Silverthorne entity.

***Clinton Ditch & Reservoir Company** – Non Profit group based in Frisco whose purpose is to acquire water rights, build and maintain a water storage system.

Club 20 - CLUB 20 is a coalition of individuals, businesses, tribes and local governments in Colorado's 22 western counties. The group is organized for the purpose of speaking with a single unified voice on issues of mutual concern. Its activities include marketing and advertising, public education, promotion, meetings and events and political action. CLUB 20 is the "Voice of the Western Slope".

CMC Advisory Committee – Part of the Academic Affairs Department. Building community partnerships is a core part of CMC's mission.

Colorado Municipal League (CML) - The Colorado Municipal League is the leading nonpartisan resource for municipal officials in Colorado. CML is dedicated to supporting municipal leadership and development through a variety of relationships and partnerships. CML provides high quality resources and services that empower municipal governments to sustain strong, healthy, and vibrant cities and towns. CML represents Colorado cities and towns collectively through its advocacy, membership services,

training, and research efforts. CML strives to continuously improve and seeks to identify additional resources, programs, and outreach efforts for its membership.

CML Policy Committee - The CML Policy Committee is a standing committee that develops the League's legislative program. The membership is composed of representatives from each member municipality, CML sections, and district presidents.

Colorado Association of Ski Towns (CAST) - The Colorado Association of Ski Towns is an organization of 26 municipalities and four counties whose economies are largely dependent upon the ski industry and tourism. Members include the mayors, managers and council members of the resort towns. The Association was formed in part to recognize that resort communities face unique challenges in providing municipal services to residents and visitors.

Economic Development Advisory Committee (EDAC) - EDAC is a community based advisory group that studies economic issues and makes recommendations to the Silverthorne Town Council. EDAC was formed to assist the Silverthorne Town Council in their efforts to enhance and improve the business climate and economy in the Town of Silverthorne. There are eleven citizen members appointed to serve two year staggered terms. Town of Silverthorne entity.

I-70 Corridor Coalition - In January 2004, more than 30 political jurisdictions formalized the I-70 Coalition by adopting an intergovernmental agreement to address transportation issues along the I-70 mountain corridor and to specifically respond to the Draft I-70 Central Mountain Transportation Corridor Programmatic Environmental Impact Statement (PEIS) issued by the Colorado Department of Transportation (CDOT).

Mission: "To enhance public accessibility and mobility in the I-70 Central Mountain Corridor and adjoining dependent counties and municipalities through the implementation of joint public & private transportation management efforts."

Joint Sewer Authority - The Town directs the Joint Sewer Authority (JSA) to provide a high quality wastewater collection and treatment system that consistently provides higher quality service and treatment than is required by local, State and Federal standards and that meets the future needs of the community. Operations include daily process and effluent testing, preventative maintenance of equipment, changes to the operating parameters of the plant to optimize the treatment process, and self-monitoring reporting to the appropriate State and Federal agencies. Town of Silverthorne entity.

Mayors, Managers & Commissioners – Monthly meeting of Summit County's Mayors, Managers and Commissioners to discuss topics relevant to our Towns and County.

Non-Profit Grant Requests - The Town of Silverthorne is proud to be able to support our local nonprofits through a yearly grant process. Any nonprofit seeking support from the Town of Silverthorne must apply through the annual county-wide grant program, including in-kind use of Town facilities such as the Rec Center, Parks and the Pavilion. The grant deadline is generally in late August of each year, for funding the following year.

NWCCOG - Northwest Colorado Council of Governments (NWCCOG) is a voluntary association of county and municipal governments that believes in the benefits of working together on a regional basis. NWCCOG serves 26 member jurisdictions in a 5-county region of northwest Colorado.

Personnel Committee - Town employee committee related to personnel matters. Town of Silverthorne entity.

Policy Board for Communications Center - Summit County Communications Center (SCCC) Located in Frisco, Colorado, the SCCC is the regional 9-1-1 dispatch center that provides emergency communications services to all of Summit County, Colorado. Responsible for answering emergency 9-1-1 calls and dispatching the appropriate public safety resources to the emergency scene. We are also responsible for radio and other communications for most public safety departments in Summit County including SC ALERT.

Recycling Task Force - Newly created task force to study landfill recycling needs and zero waste strategies; part of the Summit County Government.

Schmidt Scholarship Committee (2015) - The Town of Silverthorne is proud to support our local graduating seniors through the Schmidt Scholarship Program. Scholarships are awarded at the Annual Local Scholarship Presentation Night in April of each year at Summit High School.

All Applicants must be a graduating senior who lives in the Town of Silverthorne town limits. Town boundaries do not include Wildernest, Mesa Cortina, North Forty, Ruby Ranch, Hamilton Creek and certain areas of Ptarmigan Estates.

SPORT Committee - Being an Advisory Committee to the Silverthorne Town Council, SPORT's main purpose is to review, plan, organize volunteers, and make recommendations on the best use of the Lodging Tax monies to the Town Council, using the Silverthorne Parks, Trails, and Open Space Master Plan as their guide. Town of Silverthorne entity.

Summit County Telecommunications Consortium (SCTC) - Summit County Television Channels 10 and 22 were established to provide County residents with a constant connection to the activities and services of their government. These stations are a presentation of the Summit County Telecommunications Consortium. SCTV 10/22 are designated Educational and Governmental Access Channels. Our mission is to provide the citizens of Summit County with pertinent and useful information.

Summit County Wildfire Council - Colorado State University, U.S. Department of Agriculture and Summit County Extension programs available to all without discrimination. Extension administers the Summit County Wildfire Council, comprised of representatives from the United States Forest Service, Colorado State Forest Service, local fire protection districts, towns and citizen representatives from each of the four river basins. Part of Summit County Government.

Summit Combined Housing Authority (SCHA) – Assists the residents of Summit County and the surrounding areas with their housing needs, unique to a seasonal, tourism driven community. Part of Summit County Government.

Summit Stage Transit Board – Monitors the Summit Stage which provides scheduled, fixed-route buses, and advance reservation para-transit service since 1977. Part of Summit County Government.

Town Core Committee – Town Committee; meets as needed on issues related to development, Comprehensive Plan and Town Core issues. Town of Silverthorne entity.

Transit and Revenue PLT – CDOT -

Water Strategy Committee - Town of Silverthorne entity, but works with other water related groups such as Clinton Ditch, West Slope Colorado Water Plan, NWCCOG QQ, etc. on matters related to water such as ODR, water flow etc.

NWCCOG Water Quality and Quantity (QQ) - The Water Quality and Quantity Committee (QQ) comprises municipalities, counties, water and sanitation districts, and conservancy districts in the headwaters region of Colorado located in Grand, Summit, Eagle, Pitkin, Park and Gunnison counties. The Colorado River Water Conservation District is also a QQ member. The Board is made up of elected and appointed officials from member jurisdictions.

QQ's purpose is to facilitate and augment the efforts of member jurisdictions to protect and enhance the region's water quality while encouraging its responsible use for the good of Colorado citizens and the environment.

QQ monitors water development activities and participates in legislative and administrative proceedings that affect water quality or quantity in the basin of origin. QQ Committee meetings operate as a forum for policy formulation and strategic decision-making by QQ Committee members.

QQ staff provides members with legislative monitoring, water quality information, litigation and rulemaking support, trans-mountain diversion oversight, and related technical assistance to further intergovernmental cooperation, and increase political clout with state and federal agencies.

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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: Lina Maria Lesmes, AICP, Senior Planner *LM*
DATE: July 3, 2015, for meeting of July 8, 2015
SUBJECT: Hampton Inn Sign Variance - PT2015-15

SUMMARY: Mace Pacific Holding Company, the developer of the Hampton Inn and Suites located at 177 Meraly Way seeks approval of a Variance to allow two wall mounted signs on the fifth story of the building.

BACKGROUND: The applicant is two wall mounted signs, measuring 107 square feet each, for a total of 214 square feet of wall mounted signage at the Hampton Inn and Suites. Section 4-9-12(1), Special Regulations in Interstate District, permits 288 square feet of total wall mounted signage for a building with a linear front footage of 115 feet.

The applicant seeks a variance to Section 4-9-17, General Requirements, in order to install two signs above the second level of a building. In particular, Section 4-9-17(b).10 states, "No wall, projection, marquee, or canopy signs shall be installed above the second level". The applicant is proposing to install the two wall mounted signs on the fifth level of the building.

PREVIOUS COUNCIL ACTION: On June 24, 1992, Town Council approved a revised Plat for Lots 1-5 of the Summit Commercial Park Subdivision. On June 3, 1993, Town Council denied a Site Plan for the 'Silverthorne Court', which proposed a commercial building on Lots 3, 4, and 5 of the Summit Park Commercial Subdivision.

On May 28, 2014, Town Council approved a Final Site Plan for the Hampton Inn and Suites hotel, which consists of 88 rooms and is currently under construction. That same night, Town Council also approved a Minor Subdivision to modify lot lines and easements, and create Lot 3R, Summit Park Commercial Subdivision.

DISCUSSION: It is within the power of the Board of Adjustment to grant variances to land use ordinances when, by reason of exceptional and extraordinary conditions, strict application of such ordinances would result in undue hardship upon the property owner. Per Town Code Section 4-1-44, "Appeals" Variances shall be authorized only when the Board of Adjustment finds that all eight variance criteria are met. In this case, Staff found that criteria 1, 2, 3, 4, 5, 6, 7, and 8 are not being met.

STAFF RECOMMENDATION: The Community Development Department recommends Denial of the Hampton Inn Sign Variance to allow two signs above the second level, as prohibited by Section 4-9-17 based on the following finding:

1. The application does not meet the criteria established in Code Section 4-1-44, 1, 2, 3, 4, 5, 6, 7, and 8, as stated in the Staff Report.

Suggested motion: "I move to deny the Hampton Inn Sign Variance to locate two wall mounted signs at the 5th level at 177 Meraly Way, based on the Staff recommended

Town of Silverthorne
Town Council Agenda Memorandum

finding.”

ATTACHMENTS: Staff Report and Exhibits

MANAGER'S COMMENTS: _____

Town of Silverthorne, Colorado
Board of Adjustment

From: Lina Maria Lesmes, AICP, Senior Planner *LML*

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

Date: July 3, 2015, for meeting of July 8, 2015

Subject: Hampton Inn Sign Variance - PT 2015-15

Owner: Hotel Silverthorne Partners, LLC.

Agent: Debbie Mace, Mace Pacific Holding Company

Proposal: The applicant seeks approval of a Variance to install two wall-mounted signs above the second level of a building. *(Please see the attached written response for specific details).*

Address: 177 Meraly Way

Legal Description: Lot 3R, Summit Park Commercial Subdivision

Site Area: 2.70 acres or 117,612 square feet

Zone District: C-1, Light Commercial District and Gateway Design District

Sign District: Interstate Sign District

Sign Area: Permitted: 288 square feet
Proposed: 214 square feet

Sign Height: Permitted: at or below the 2nd level
Proposed: at the 5th level

PREVIOUS COUNCIL ACTION: On June 24, 1992, Town Council approved a revised Plat for Lots 1-5 of the Summit Commercial Park Subdivision. On June 3, 1993, Town Council denied a Site Plan for the 'Silverthorne Court', which proposed a commercial building on Lots 3, 4, and 5 of the Summit Park Commercial Subdivision.

On May 28, 2014, Town Council approved a Final Site Plan for the Hampton Inn and Suites hotel, which consists of 88 rooms and is currently under construction. That same night, Town Council also approved a Minor Subdivision to modify lot lines and easements, and create Lots 3R, 4R-A, and Tract C-R, Summit Park Commercial Subdivision.

BACKGROUND: Based on a linear front footage of 115 feet along Meraly Way, the Hampton Inn and Suites building is permitted a maximum of 288 square feet of wall mounted signage. No single sign is permitted to be bigger than 150 square feet. The

applicant is proposing two wall mounted signs located on the fifth story of the building. Each of the proposed signs measures 107 square feet, for a total of 214 square feet of wall mounted signage.

STAFF COMMENTS: Section 4-9-12(1), Special Regulations in Interstate District, permits 288 square feet of total wall mounted signage for a building with a linear front footage of 115 feet. The applicant seeks a variance to Section 4-9-17, General Requirements, in order to install two signs above the second level of a building. In particular, Section 4-9-17(b).10 reads as follows:

(10) *No wall, projection, marquee, or canopy signs shall be installed above the second level.*

Board of Adjustment: As noted in Section 5.2 of the Town Charter, it is within the power of the Board of Adjustment to grant variances to land use, building and construction ordinances of the Town, where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or exceptional topographic conditions, or other extraordinary and exceptional conditions with respect to such property, not shared in common with other conforming properties, strict application of such ordinances would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the owner of such property.

Variance Conditions: Town Code Section 4-1-44, Appeals, states that no variance shall be authorized unless the Board of Adjustment finds that all eight variance conditions exist.

(1) That owing to exceptional and extraordinary circumstances, literal enforcement of the provisions of Chapter 4 of the Town Code will result in unnecessary hardship.

Applicant comment:

"Hampton Inn requires specific signage on the hotel as part of the brand requirement."

Staff comment:

Staff finds no exceptional or extraordinary circumstances on this property, or any physical or unusual features that would set this lot apart from the general characteristics of surrounding properties. The building will be one of the tallest structures in Silverthorne, making it highly visible and identifiable. Literal enforcement of the Town Code permits 288 square feet of wall mounted signage, and 75 square feet on a freestanding sign, which is significant signage for business recognition, and which does not result in an unnecessary hardship. As such, Staff finds that this criterion is not met.

(2) That the circumstances aforesaid were not created by the owner of the Property and are not due as a result of general conditions in the zoning district in which the property is located.

Applicant comment:

"Hampton Inn is a national hotel company with the specific requirements for each franchisee."

Staff comment:

Staff finds that there are no exceptional or extraordinary conditions on this property to warrant a variance to the Sign Code. The building was approved in 2014, with the applicable sign regulations already in place. Furthermore, the building is located on a hillside, and has exceptional visibility from I-70, the Dillon Dam Road, and HWY 9. The building facades also provide sufficient space for signage at or below the second level. Lastly, the standards for the Interstate Sign District permit the most amount of signage of any sign district in Town. As such, the proposed sign locations reflect circumstances created by the applicant and do not warrant a variance. Staff finds that this criterion is not met.

(3) That the development or use of the property for which the variance is sought, if limited by a literal enforcement of the provisions of Chapter 4, Town Code, cannot yield a reasonable return in service, use or income as compared to adjacent and conforming properties on the same zoning district.

Applicant comment:

"Other hotels in Silverthorne and along I-70 have signage that is recognizable and visible from the Interstate Highway."

Staff comment:

If limited by a literal enforcement of the Sign Code, the applicant has 288 square feet of wall-mounted signage, and 75 square feet on a freestanding sign. The Sign Code standards do not guarantee all desirable combinations of signage, but do yield a reasonable return in service, use, and income as compared to adjacent conforming properties. Other successful hotels in the Interstate Sign District, including the Quality Inn and the Luxury Inn, have signs meetings the Code standards for signage. Staff finds that a variance for signage above the second level might give an extra advantage to this business over other businesses in Town that conform to the sign regulations. Staff finds that this criterion is not met.

(4) That the variance will not substantially or permanently injure the appropriate use of adjacent and conforming properties in the same zoning district.

Applicant comment:

"There is no negative impact on neighboring properties. In fact, Mountain Sports Outlet and neighboring business restaurants and retail stores will benefit from an increase in customers brought to the property by a new hotel."

Staff comment:

Staff finds that the variance will substantially and permanently injure the appropriate use of the adjacent and conforming properties by giving Hampton Inn an advantage. Signs located above second levels are visible from longer distances, and create the need for businesses in the zoning district to also desire signage on the highest portions of buildings. In addition, excessive signage results in visual clutter and discord. Staff would argue that, by not allowing a variance, all property owners abide by the same regulations, which were written in order to provide an integrated set of standards that all property owners and developers can expect will be applied and

enforced uniformly. Staff finds that this criterion is not met.

(5) That the variance will not alter the essential character of the zoning district in which is located the property for which the variance is sought.

Applicant comment:

"The Hampton Inn & Suites is located in the C-1, Light Commercial Zone District. Neighboring businesses, such as McDonald's, have signs at varying heights above two stories."

Staff comment:

As stated previously, staff finds that the variance will alter the essential character of the Interstate Sign District by creating the need in all property owners signage above the second level. The special regulations in the Interstate Sign District already allow for the most signage in Silverthorne. Allowances beyond what is permitted in the Code have a direct negative impact, because such variances ultimately dilute the intent of the Code requirement and character of the sign district. Staff finds that this criterion is not met.

(6) That the variance will not weaken the general purpose of Chapter 4 or the regulations herein established for the specific zoning district.

Applicant comment:

"The general purpose of Chapter 4 of the Town Code is to preserve and promote the public health, safety, and welfare of the inhabitants of the Town and of the public generally and to encourage and facilitate the orderly growth and expansion of the Town. This Chapter combines the provisions more commonly found in separate zoning and subdivision ordinances into a single land development code that will cover all phases of development. The requested variance will not in any way weaken the purpose of Chapter 4."

Staff comment:

Each variance request that is granted weakens the general purpose of the Town Code and its intended regulations. The general purpose of Chapter 4 includes avoiding "overlapping, conflicting or inconsistent ordinance provisions", and providing an "efficient regulatory control system" and an "integrated set of regulations and standards that participants in the development process need to become familiar with". These regulations were put in place having thought out larger planning concepts and town-wide goals and objectives. The sign height restrictions were set so as to maintain a small mountain town character and feel. Variances should be allowed in particular circumstances that are unique, extraordinary, and exceptional, and that would prohibit reasonable use of a residence or property. Staff finds that this criterion is not met.

(7) That the variance will be in harmony with the spirit and purpose of Chapter 4 of the Town Code.

Applicant comment:

"The signage is in harmony with the spirit and purpose of Chapter 4 of the Town Code."

Staff comment:

Sign Code Section 4-9-1, Purpose, lists 13 general goals and objectives of the Sign Regulations. Among those, the purpose is to coordinate the physical dimensions of signs, recognize the commercial communication requirements of all sectors of the business community, guarantee equal treatment under the law, and provide a reasonable balance between the right of an individual to identify his business and the right of the public to be protected against the visual discord resulting from the unrestricted proliferation of signs. The regulations considered the needs of the different sign districts in Town based on their location and likely need for signage. Each variance that is granted without ensuring that exceptional circumstances exist to warrant the request, creates disharmony with the spirit and purpose of the Sign Code. Staff finds that this criterion is not met.

(8) That the variance will not adversely affect the public health, safety, or welfare.

Applicant comment:

"The signage will not adversely affect the public health, safety, or welfare of the town."

Staff comment:

Staff finds that the variance may not adversely affect public health and safety, but could negatively impact the public welfare. The interests, benefits, and wellbeing of the public are negatively impacted when regulations are applied inconsistently or to the benefit of individual parties. Staff finds that this criterion is not met.

STAFF RECOMMENDATION: The Community Development Department recommends Denial of the Hampton Inn Sign Variance based on the following finding:

1. The application does not meet the criteria established in Code Section 4-1-44, 1, 2, 3, 4, 5, 6, 7, and 8, as stated in the Staff Report dated July 3, 2015.

Suggested motion: *"I move to deny the Hampton Inn Sign Variance to locate two wall mounted signs at the 5th level at 177 Meraly Way, based on the Staff recommended finding."*

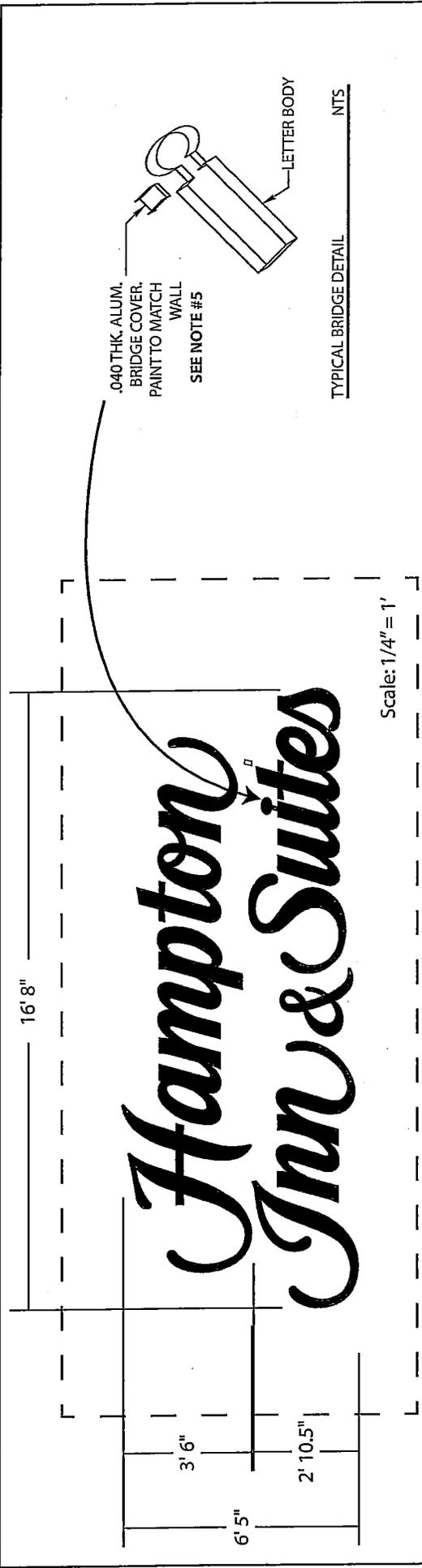
Alternative Motion:

Should the Board of Adjustment find that all criteria are met, staff recommends the following motion:

"I move to approve the Hampton Inn Sign Variance to allow two wall mounted signs to be located at the 5th level of the building located at 177 Meraly Way, finding that all variance criteria have been met."

ATTACHMENTS:

Exhibit A: Proposed signs and locations

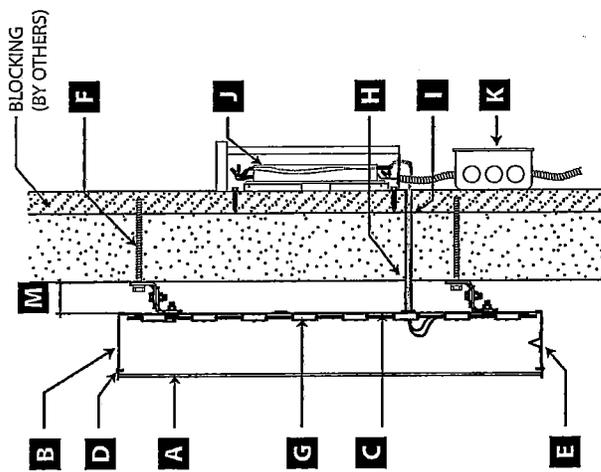


MATERIALS / COLORS

- A** .177" THK. 3RK32 RED CYRO 5G ACRYLIC FACES.
- B** .040 ALUMINUM COIL (313 DK. BRONZE), 5" DEEP RETURNS, PAINT INTERIOR W/ LIGHT-ENHANCEMENT
- C** ALUM. CAD-CUT BACKS: .063 ALUMINUM CAD-CUT, PAINT INTERIOR W/ LIGHT-ENHANCEMENT
- D** 1" JEWELITE (313 DK. BRONZE)
- E** WEEP HOLES IN LOW POINTS (2) MIN.
- F** HARDWARE: 2" X 2" GALV. SHOES W/ 4" LAG BOLTS
- G** GETTRAMAX RED LEDS (3 LEDS/MODULE, 2 MODS./FT.)
- H** RUBBER GROMMET
- I** PLTC CABLE, SEAL PASS-THRU W/ SILICONE (USE SEALTITE IF REQ'D BY LOCAL CODE)
- J** POWER SUPPLIES: REMOTE PS12-60 POWER SUPPLIES MOUNTED IN TRANSFORMER ENCLOSURES.
- K** J-BOX WITH PRIMARY ELECTRICAL (BY OTHERS)
- L** N/A
- M** SIGN BACK TO FASCIA DISTANCE: 2"

NOTES

- 1) BLOCKING BY OTHERS REQUIRED.
- 2) UL LABELS REQUIRED - INSTALL IN ACCORDANCE WITH NEC
- 3) PRIMARY ELECTRICAL BY OTHERS.
- 4) IF AVAILABLE POWER IS NOT 120 VOLT, THEN A DIFFERENCE IN PRICE WILL APPLY OR A STEP DOWN TRANSFORMER WILL NEED TO BE USED.



Typical Channel Letter Construction and Mounting Detail

PROCEED TO PRODUCTION

AUTHORIZED SIGNATURE _____ DATE _____

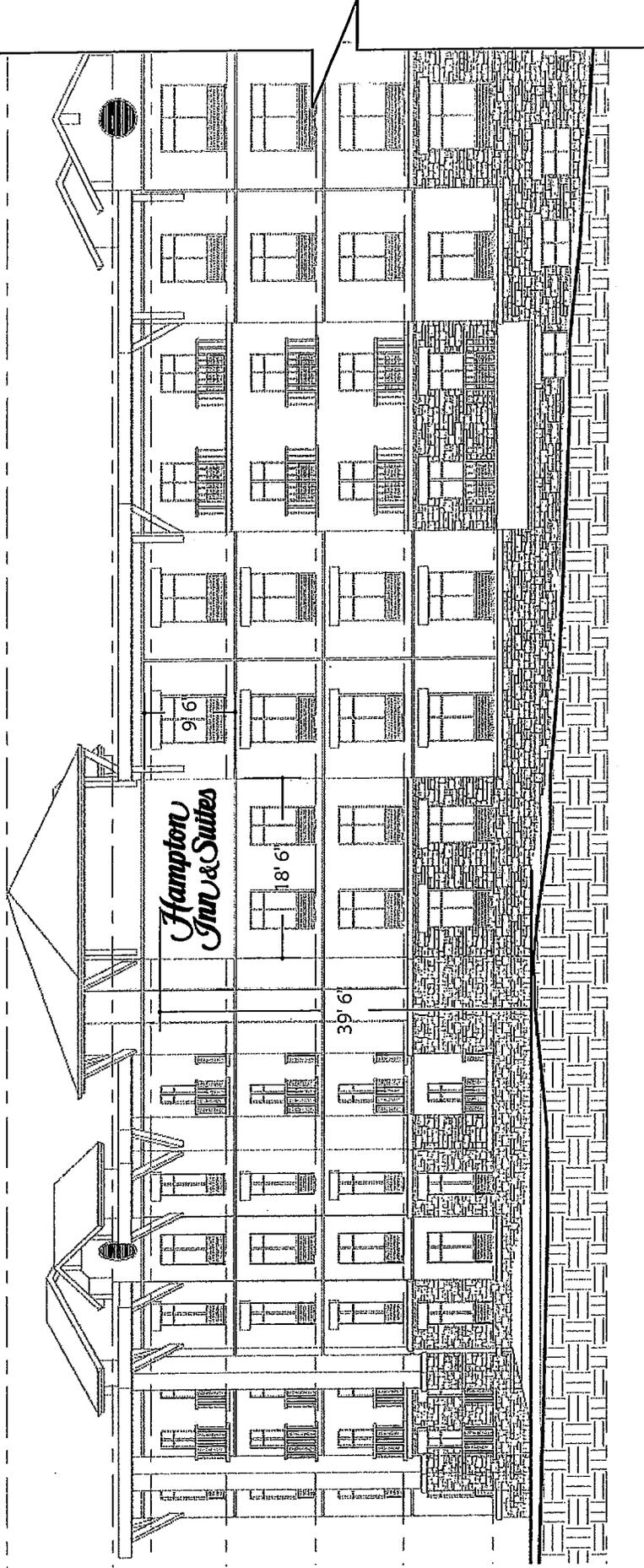
LAURETANO
SIGN GROUP

1 Tremco Drive, Terryville, CT 06786
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signs@lauretano.com www.lauretano.com

TECHNICAL PAGE 6 Marked dimensions are for informational purposes only. **UL FILE NO. E70436**

Print	1398GG	Quote	30146	Installation Method	Shoes & Lags
Date	6/17/15	Line	9	Amps	3.4
				Volts	120

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NORTHEAST ELEVATION
SCALE: 1/16" = 1' 0"
FRONTAGE: 166' 0"

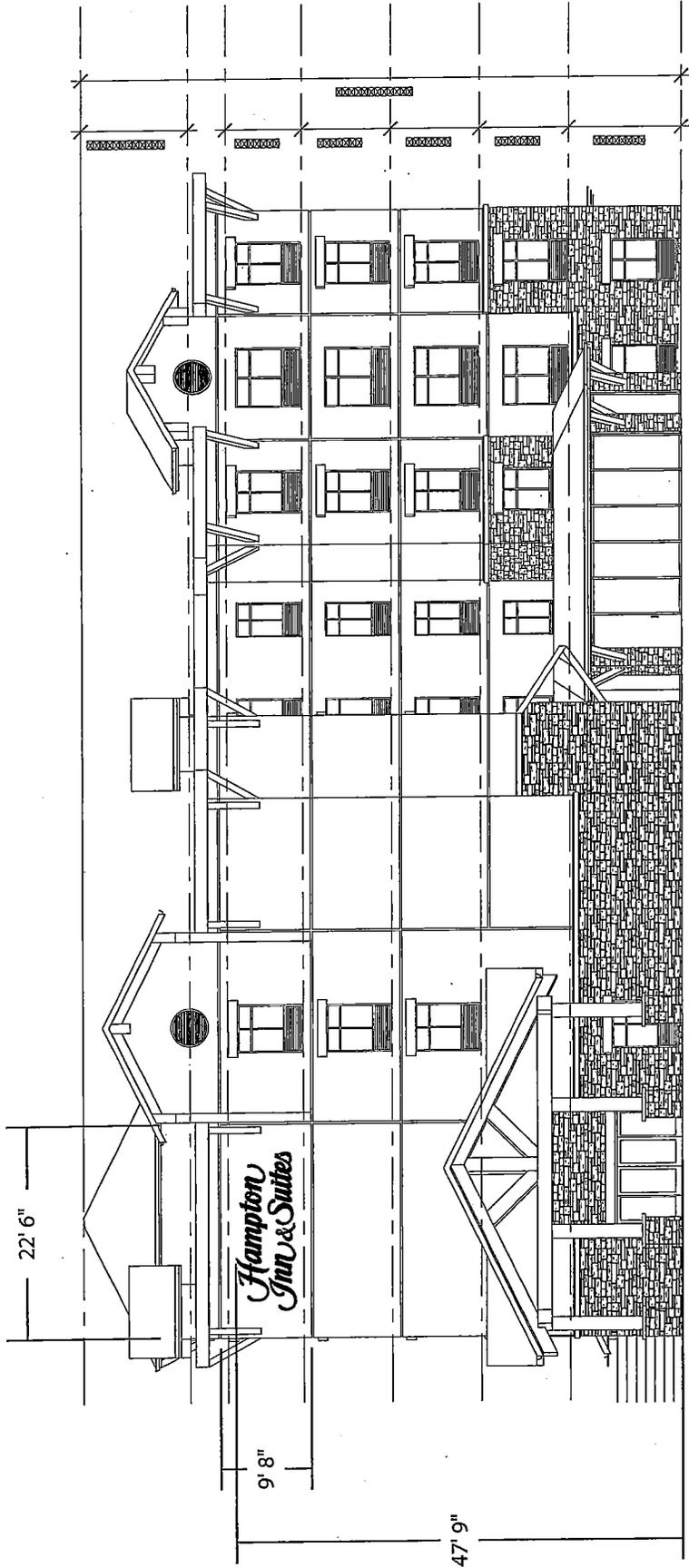
CLIENT APPROVAL

AUTHORIZED SIGNATURE _____ DATE _____

LAURETANO
SIGN GROUP
 1 Tremco Drive, Terryville, CT 06786
 phone: 860.582.0233 fax: 860.583.0949
 signs@lauretano.com www.lauretano.com

Print History	Date	Description	Title	Hampton Inn & Suites	Sign Type	HIS BL42S-R
1399GG	6/17/15		City/State	Silverthorne, CO	Location	Northeast Elevation
			Customer	Hampton Inn & Suites	Size	6' 5" x 16' 8" (107 sq ft)
			Acct Exec.	AC	Description	Red day/Red night LED CLS
			Quote	30146		
			Line	10		

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Northwest Elevation
NOT TO SCALE

CLIENT APPROVAL

AUTHORIZED SIGNATURE _____ DATE _____
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 phone: 860.582.0233 fax: 860.583.0949
 signs@lauretano.com www.lauretano.com

Print History	Date	Description	Title	Hampton Inn & Suites	Sign Type	HIS BL425-R
1398GG	6/17/15		City/State	Silverthorne, CO	Location	Northwest Elevation
			Customer	Shaw Construction	Size	6' 5" x 16' 8" (107 sq ft)
			Acct Exec.	AC	Description	Red day/Red night LED CLs
			Quote	30146		
			Line	9		

3012 This drawing contains original elements created by Lauretano Sign Group, Inc., and is subject to all applicable copyright laws. It is also the property of Lauretano Sign Group, Inc., and it is intended for your review and approval purposes only. This drawing is not to be reproduced, copied, transmitted by electronic media, or exhibited in any fashion or shown to anyone outside your organization without the expressed written consent of Lauretano Sign Group, Inc. This design remains the property of Lauretano Sign Group, Inc. and may not be used in any way until full payment is received by Lauretano Sign Group, Inc.

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: July 3, 2015 for meeting of July 8, 2015
SUBJECT: Second Reading of Ordinance 2015-06, An Ordinance amending Chapter 4, Article IV, Zoning Districts and Standards, concerning the Riverfront Mixed Use Zone District and the Use Schedule.

PROPOSAL: Ordinance 2015-06 proposes amendments to Section 4-4-13, the Riverfront Mixed Use Zone District, to rename the district 'Riverfront Zone District', and update the standards therein. The revisions proposed are based on the recommendations of the 2014 Town of Silverthorne Comprehensive Plan, and serve to ensure there is consistency with the proposed revisions to the Riverfront Design District Standards and Guidelines. In addition, the ordinance proposes an amendment to Section 4-4-17, Use Schedule, to list *'Multi Family Dwelling Unit'* as a use by right rather than a conditional use in the Riverfront District, and to label the district as RF rather than RFM.

PREVIOUS COUNCIL ACTION: The Riverfront Mixed Use Zone District standards existed prior to the re-codification of the Town Code in 1995. In 2003, Town Council approved Ordinance 2003-8, an ordinance repealing Chapter 4, Article V of the Silverthorne Town Code, and enacting Chapter 4, Article IV, Zoning Districts and Standards. The amendments to Article IV constituted a general rearrangement of the zoning section, and a complete rewrite of the Riverfront Mixed Use Zone District standards. In 2008, modifications to the Riverfront Mixed Use Zone District standards were approved to refer to the height maximum set forth in the Design District Standards, and to remove all parking requirements noted in that Section.

Town Council approved a reorganization and comprehensive update of Section 4-4-17, the Use Schedule, on February 27, 2013. The Use Schedule is a table wherein 76 uses are categorized into 8 Zone Districts, and classified as 'R-by right', 'A-Accessory', 'C-Conditional', 'C/A-Conditional as Accessory', or 'RO-Replacement Only'.

On June 24, 2015, by a vote of 5-0, Town Council voted to approve Ordinance 2015-06 without any changes, on first reading.

BACKGROUND: Staff began review of the Riverfront District Design Standards in April of 2015. Because some of the standards in the Riverfront Mixed Use Zone District overlap or conflict with the Design Standards and the recommendations of the 2014 Comprehensive Plan, Staff deemed it necessary to revise the Riverfront Mixed Use Zone standards in concurrence with the update of the Riverfront District Design Standards. As proposed, the new Riverfront Mixed Use Zone standards will be less strict than the existing standards, and more conducive to high density residential development. The proposed changes also ensure there is consistency with the

Town of Silverthorne
Town Council Memorandum

Riverfront District Design Standards and Guidelines, and the goals and policies of the 2014 Comprehensive Plan.

A letter was sent to all the property owners within the Riverfront Mixed Use Zone District on May 26, 2015, notifying them of the proposed revisions to the Zoning and Design District standards, and the public hearing dates before Planning Commission and Town Council. To date, Staff has only received one request for additional information from Terry Novak, owner of Lot 11, Silverthorne Subdivision #1.

STAFF COMMENTS: The proposed revisions to the Riverfront Mixed Use Zone District are summarized as follows:

- Renaming the Zone District as 'Riverfront Zone District'.
- Noting in the Statement of Concept that high density residential development is desired, and that both stand-alone and mixed-use residential development will be permitted.
- Removal of the requirements for parking location and screening, as these concepts are addressed in the Design District Standards and Guidelines.
- Deletion of all variable height maximums, and referring to the height maximum in the Design District Standards and Guidelines. This is consistent with the height provisions in all other zone districts.
- Removal of the requirement to have a mix of residential and commercial uses in new site development. The uses permitted will be those listed in the Use Schedule, and a mix of residential and commercial will no longer be required.
- Deletion of remaining standards ('m' through 't') regarding shared access, architecture, and mechanical equipment. All of these requirements are addressed in the Design District Standards and Guidelines. All submittal requirements for development applications are addressed in Chapter 4, Article VI, Site Plan, of the Town Code.
- Use Schedule – Listing 'Multi-Family Dwelling Unit' as a use by right rather than a conditional use, which facilitates the development of high density residential uses in the zone district. Multi-family Dwelling Unit is defined in Section 4-2-1 as, "*a dwelling unit located within a building or group of buildings containing three or more dwelling units used for either rental or ownership, or a dwelling unit located within a mixed use building. This term includes apartments, condominiums, townhouses, and tri-plexes.*"
- Use Schedule – Renaming RFM (Riverfront Mixed Use) as RF (Riverfront).

PLANNING COMMISSION RECOMMENDATION: On June 16, 2015, by a vote of 7-0, Planning Commission recommended approval of Ordinance 2015-06; An Ordinance Amending Chapter 4, Article IV, Zoning Districts and Standards, concerning the Riverfront Mixed Use Zone District and the Use Schedule.

Town of Silverthorne
Town Council Memorandum

PROPOSED MOTION:

"I move to approve Ordinance No. 2015-06; An Ordinance Amending Chapter 4, Article IV, Zoning Districts and Standards, concerning the Riverfront Mixed Use Zone District and the Use Schedule, on second reading."

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

ATTACHMENTS:

Exhibit A: Ordinance No. 2015-06

MANAGER'S COMMENTS:

**TOWN OF SILVERTHORNE, COLORADO
ORDINANCE NO. 2015-06**

AN ORDINANCE AMENDING SILVERTHORNE TOWN CODE CHAPTER 4, ARTICLE IV, ZONING DISTRICTS AND STANDARDS, CONCERNING THE RIVERFRONT MIXED USE ZONE DISTRICT AND THE USE SCHEDULE.

WHEREAS, zoning districts and standards are within the regulatory authority of the Town, acting through the Town Council; and

WHEREAS, Chapter 4, Article IV of the Town Code contains regulations which govern the standards of the Riverfront Mixed Use Zone District; and

WHEREAS, Chapter 4, Article IV of the Town Code contains regulations which govern the land uses permitted in each zoning district; and

WHEREAS, the Town Council wishes to revise Chapter 4, Article IV, Section 4-4-13 to amend the standards of the Riverfront Mixed Use Zone District; and

WHEREAS, the Town Council wishes to revise Chapter 4, Article IV, Section 4-4-17 to list 'Multi-Family Dwelling Unit' as a use by right in the Use Schedule; 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 4-4-13 of the Silverthorne Town Code is hereby amended to read as follows:

Sec. 4-4-13. Riverfront Zone District.

(a) Statement of concept of riverfront zoning.

(1) The Blue River is the center and principal attraction of the Town. The Riverfront Zone District is intended to promote the Blue River as the central image of the Town. All site development proposals shall use and promote the intrinsic characteristics of the river and the riverfront property. High density residential development that may be mixed with appropriate commercial uses is desired in the Riverfront Zone District. The Riverfront District should be attractive to residents and visitors.

(2) Each site development should be attractive from both the river and the Town Right-of-Way. The Town encourages pedestrian friendly settings in the Riverfront Zone District. Access should be obvious to a pedestrian from either the street or the river. Both new residential and business uses should provide outdoor open space on the riverside. Site design and landscape should be attractively and carefully planned.

(3) The intent of the Riverfront District is to provide a transition from the commercial areas to the south and the residential areas to the north. The Riverfront Zone District is

envisioned as a high density residential area with distinct character and a strong relationship to the Blue River. Development on either side of the river shall provide a pedestrian pathway paralleling the Blue River and connecting with adjacent pedestrian paths.

(4) The Town encourages high quality development in the Riverfront Zone District that provides a variety of architectural elements that avoid featureless design and uninterrupted repetition of building materials. Building massing, form, length and proportions shall be designed to provide variety of visual interest while maintaining a human scale that is appropriate.

(5) The provisions of this Section only apply to new development or major redevelopment of property within the Riverfront Zone District. Existing and non-conforming uses may continue as long as they remain otherwise lawful.

- (a) Permitted uses: consult the use schedule at Section 4-4-17.
- (b) Lot frontage, minimum: one hundred (100) feet.
- (c) Lot coverage, maximum sixty percent (60%) of total lot area.
- (d) Front setback, for fifty percent (50%) of the lot frontage, a zero (0) setback is permitted, for the remaining fifty percent (50%) of the lot frontage, a minimum five (5) foot setback is required.
- (e) Side setback, at least five (5) feet from all property lines not abutting the river or street.
- (f) River setback, twenty-five (25) feet measured from the upper bank of the Blue River.
- (g) The maximum building height shall be as stated and described in the Design District Standards and Guidelines.
- (h) Access pathway. There must be a convenient and safe pedestrian path, finished with a surface suitable for walking, at least six (6) feet in width from the side of the site development facing away from the river, through or around buildings, to the riverfront pathway
- (i) Dwelling Unit Density. The maximum number of residential dwelling units permitted per acre of land is twenty-five (25).
- (j) Path connections. All site development adjacent to the Blue River shall provide a twenty-five-foot pedestrian path easement within the minimum setback, from the top of the bank of the Blue River. The developer shall construct the pedestrian path according to the Town Parks, Trails, and Open Space Master Plan and in conformance with Section 4-5-16. All site development shall also provide a continuous six (6) foot concrete sidewalk the length of the property within the Highway 9 right-of-way.

Section 2. Section 4-4-17 of the Silverthorne Town Code is hereby amended to read as follows:

Sec. 4-4-17. Use schedule.

USE/ZONE	R2	R6	R15	RF	C-1	C-2	Gov	OS
Sale of goods:								
Auto sales, new and used					R	R		
Bar, lounge, nightclub				R	R	R		
Contractor Trades/Wholesale					C	R		
Convenience store with gas					R	R		
Firewood sales					C	R		
General retail				R	R	R		
Nursery and greenhouse				A	R	R		
Restaurant				R	R	R		
Restaurant, drive-thru					R	R		
Roadside stand/ farmers market (food items)				R	R	R		
Goods, sales & services:								
Auto – Related sales & service					R	R		
Contractor & building trade					C	R		
Equipment rental					C	R		
Farm equipment sales & service					C	R		
Small engine & small motor sales & service					C	R		
Taxidermy					C	C		
Truck sales & service under 16,000 lbs gross vehicle weight					C/A	R		
Truck sales & service over 16,000 lbs gross vehicle weight						R		
Recreational vehicle sales & service					C/A	R		
Service establishments:								
Animal kennel, with or without outside runs					C	C		
Auto gas station without garage					R	R		
Auto Rental					C/A	R		
Auto Repair & Maintenance					C	R		
Auto storage					A	C		
Commercial firewood, cutting & splitting						C		
Dry cleaning				R	R	R		
Frozen food locker (no slaughtering on premises)					C	C		
Laundry, commercial					C	R		
Laundromat				R	R	R		
Outdoor storage						A		
Professional offices & Services				R	R	R		
Recycling center					A	C/A		
Solid waste hauling facility						C		
Vehicle towing					A	R		
Warehousing/self storage					C	C		
Warehouse/ distributing (nonflammable material)					C	R		

USE/ZONE	R2	R6	R15	RF	C-1	e-2	Gov	OS
Entertainment:								
Adult business						C		
Arts & Entertainment Facility				R	R	R		
Radio & television studio and broadcasting				R	R	R		
Housing:								
Single apartment	C	C						
Boarding house/ bed & breakfast	C	C	C	R				
Conforming mobile home park			R	C				
Detached single family	R	R	R	RO				
Dormitory & Youth Hostel				A	C/A	C/A		
Duplex	R	R	R	RO				
Hotel, motel, lodge				R	R	C		
Multi-family Dwelling Units	R	R	R	R	C			
Education:								
Day-care center	C	C	C	C	C			
Day-care home	R	R	R		C			
School	C	C	C					
College/Trade School				C	C	C		
Transportation:								
Bus station office & waiting room				A	C	R		
Bus terminal & garage						C		
Pay auto parking lot				A	C	C		
Trucking terminal						C		
Public or quasi-public:								
Community facilities	R	R	R					
Civic, youth, social organization				R	R			
Church	R	R	R					
Group home	C	C	C					
Hospital/clinic				C	R	C		
Nursing & aged home		R	R		C			
Post office				R	R	R		
Public Buildings				R	C	C	R	
Utility substation	C	C	C	C	C	C	C	
Water Pipeline	C	C	C	C	C	C	C	C
Fabrication:								
Food processing						C		
Manufacturing						C		
Manufacturing, light					C	R		
Scientific research				C	C	C		
Recreation:								
Community center				R	C	C	R	R
Fairground				C			C	C
Gymnasium				R	R	R	R	R
Health spa				R	R	C		
Skating rink				R	R	C	R	R
Swimming pool, inside				R	R	R	R	R
Swimming pool, outside				R	R		R	R

Note: R = by right; C = conditional; A = accessory; C/A = conditional as an accessory use; RO = replacement only upon fifty percent (50%) or greater destruction by fire, flood or act of God.

Section 3: Safety Clause

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

Section 4: 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 5: 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 6. 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 24th DAY OF June, 2015.

MOVED, SECONDED AND FINALLY PASSED ON SECOND AND FINAL READING, ON THE 8th DAY OF July, 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

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: July 3, 2015 for meeting of July 8, 2015
SUBJECT: Second Reading of Ordinance 2015-07, An Ordinance amending Chapter 4, Article VI, Section 4-6-2(h), concerning the Design Districts.

PROPOSAL: Ordinance 2015-07 proposes amendments to the Riverfront 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 May 28, 2014, Town Council adopted the 2014 Silverthorne Comprehensive Plan. As part of the Comprehensive Plan, the boundaries of the Design Districts were revised, and the following policies were adopted for the development of the Riverfront District:

GOAL: The Riverfront District provides a transition from the commercial areas to the South and the residential areas to the north. The Riverfront District is envisioned as a high-density residential district with distinct character and strong relationship to the Blue River.

Policy LU 3 RF 1 – Encourage high density residential development in the Riverfront District that is complementary to its river-oriented location, is well-connected to adjacent commercial and civic uses, maintains public connection to the riverfront, and adds a unique dimension to housing options in Silverthorne.

Policy LU 3 RF 2 – Encourage the combination of 100-foot wide lots for cohesive development within the Riverfront District. Town-owned lots in this area may be utilized to offset on-site parking requirements.

Policy LU 3 RF 3 – Support site designs that are human-scaled and pedestrian oriented, and that offer a convenient option for pedestrian movement within and between developments.

Policy LU 3 RF 4 – Ensure that development along the Blue River is varied in height and mass so as to frame and preserve views both to the river and to the surrounding mountain vistas.

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; and the Gateway District Design Standards and Guidelines on April 8, 2015.

Town of Silverthorne
Town Council Memorandum

On June 24, 2015, by a vote of 5-0, Town Council voted to approve Ordinance 2015-07 without changes, on first reading.

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 (April 14 and May 14) in 2015 to refine the desired character of the Riverfront District, and to agree on standards and guidelines for that Design District. The revised document, attached as Exhibit B, reflects the input and policy direction from the EDAC Subcommittee. A slash and underline version showing all the revisions is available upon request.

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

- Change of format to 'Standards' and 'Guidelines'.
- Building Orientation - Providing guidelines only; no standards for building orientation. Emphasizing concept that development should be oriented to preserve views and connections/access between adjacent developments.
- Removal of requirements that all developments provide 'double sided' entries.
- Pedestrian Access – Minor changes. New language is identical to the applicable language utilized in the revisions to the Town Core/Gateway District S&G.
- Vehicular Access – Guidelines promoting the combination of access points to minimize curb cuts, the consolidation of lots for cohesive development; and shared cross access drives.
- Parking – the placement or location of parking areas is not restricted. Only requirement is that parking areas be enhanced with landscaping.
- Parking – New guidelines that encourage parking within building and/or shared or consolidated parking areas.
- Landscaping – Proposed changes reflect the revisions made for the Town Core/Gateway District S&G. As guidelines, gathering spaces and public open spaces are encouraged.
- Lighting – Providing guidelines; no standards for lighting. Town Code provides adequate requirements for exterior light fixtures and exterior lighting.
- Screening – new language is almost identical to the applicable language utilized in the revisions to the Town Core/Gateway District S&G. Outdoor storage of materials and vehicles is permitted in the Riverfront District, but must be screened with fencing or landscaping.

Town of Silverthorne
Town Council Memorandum

- Building Forms – Standards 4.1.4 and 4.1.5 reflect the revisions made for the Town Core District S&G.
- Building Forms – Previous requirement that buildings ‘step down’ as they get nearer to the river/ROW is noted as a guideline. The pedestrian experience is achieved through building articulation, architectural elements, and a well-designed ‘base’.
- Building Architecture – requirement for ‘four-sided’ architecture was moved from Section 4-4-13, and is now noted as a guideline. Concept is achieved by meeting other standards in the document.
- Building Facades – Rewrite of Standard 4.2.5 to reflect the language in the Town Core Design District Standards and Guidelines.
- Building Materials – Revisions are identical to the requirements in the Gateway District. Standard 4.3.3 is less strict than the respective standard in the Town Core District Design Standards and Guidelines
- Materials – glazing requirement is only required for commercial and mixed use buildings.
- Building Roofs – no longer stating a preference between flat and pitched roofs, as was done with the Town Core and Gateway Districts.
- Building Roofs – Revised language reflects the changes to the Gateway District Design Standards and Guidelines.

PLANNING COMMISSION RECOMMENDATION: On June 16, 2015, by a vote of 7-0, Planning Commission recommended approval of 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.

PROPOSED MOTION:

“I move 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 second reading.”

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

ATTACHMENTS:

Exhibit A: Ordinance No. 2015-07

Exhibit B: Riverfront District Design Standards and Guidelines

MANAGER’S COMMENTS:

**TOWN OF SILVERTHORNE, COLORADO
ORDINANCE NO. 2015-07**

AN ORDINANCE AMENDING SILVERTHORNE TOWN CODE CHAPTER 4, ARTICLE VI,
SITE PLAN, CONCERNING THE RIVERFRONT 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 Riverfront 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, on April 8, 2015, Town Council adopted revised Standards and Guidelines for the Gateway District; and

WHEREAS, the Town Council wishes to revise Chapter 4, Article VI to incorporate the revised Riverfront 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 and Guidelines, adopted July 8, 2015.

- 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 April 8, 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 24th DAY OF June, 2015.

MOVED, SECONDED AND FINALLY PASSED ON SECOND AND FINAL READING, ON THE 8th DAY OF July, 2015.

TOWN OF SILVERTHORNE, COLORADO

By: _____

Bruce Butler, Mayor

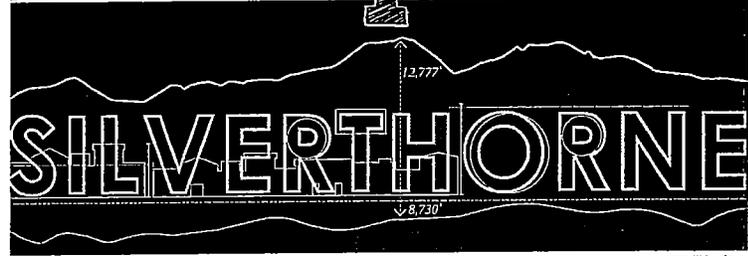
ATTEST:

By: _____
Michele Miller, Town Clerk

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

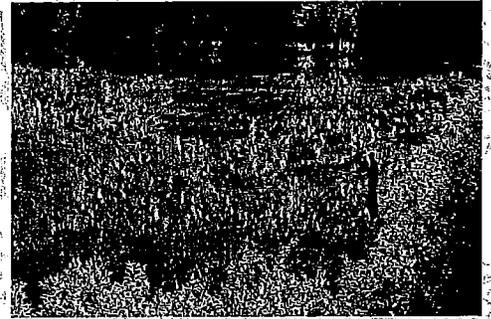
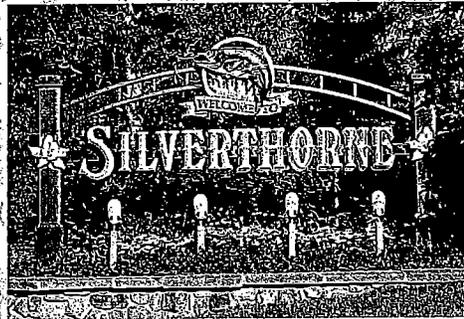
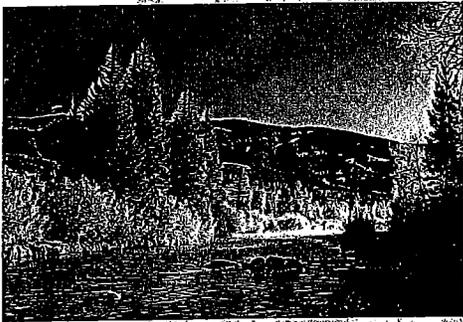
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Blueprint

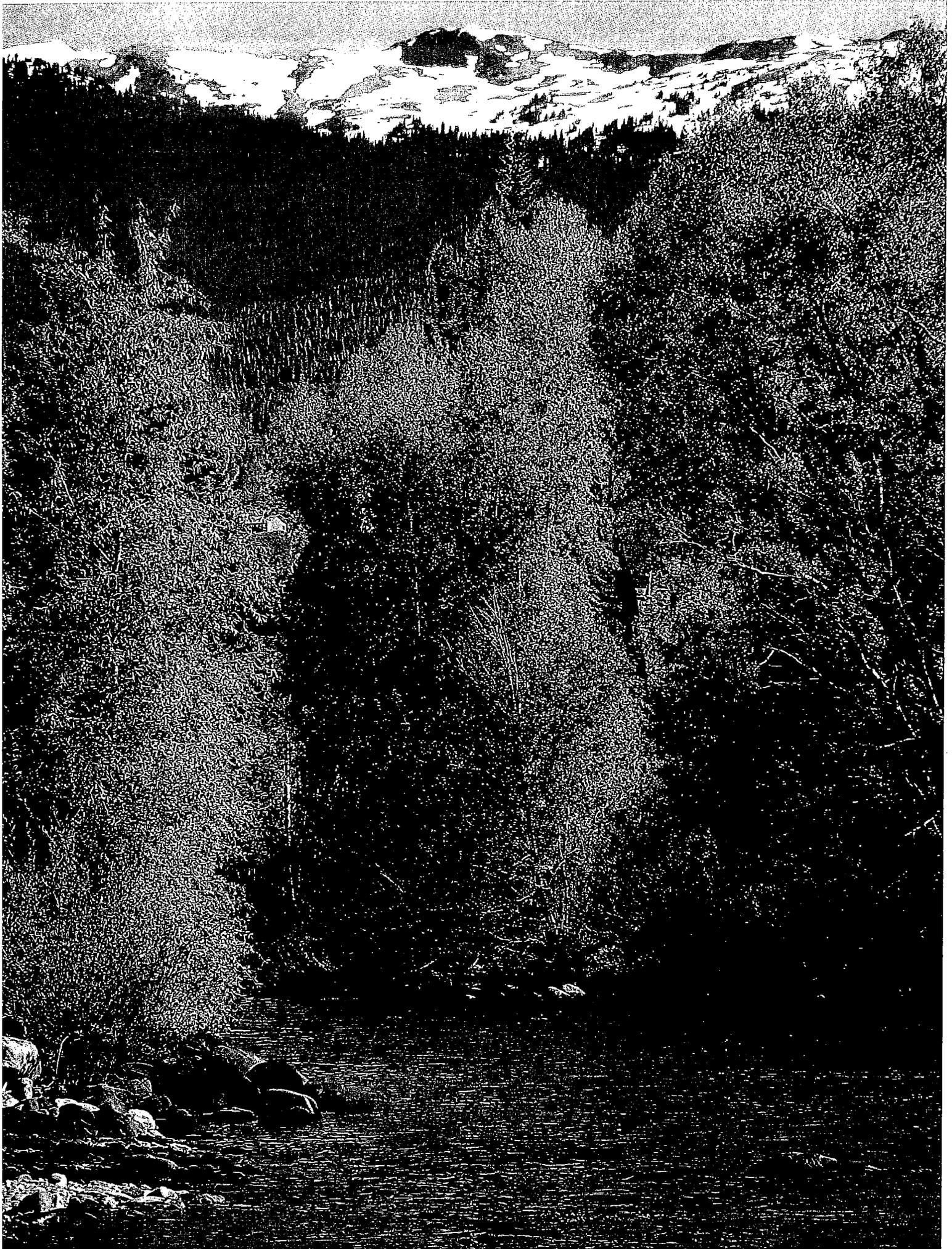


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Design Standards & Guidelines



Riverfront District



Riverfront District

Design Standards and Guidelines

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ACKNOWLEDGEMENTS

Thanks are due to those who contributed to the development of these Design Standards and Guidelines.

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Russ Camp
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Peggy Long
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Graphic Illustrations

Marc Hogan, BHH Partners

JULY 8, 2015

Riverfront 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 Riverfront District to the surrounding environment. The boundaries of the Riverfront 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 Riverfront District to be a unique area that is high density residential, but may include a mix of residential and commercial uses. This district provides a transition from adjacent commercial and civic uses, maintains a public connection to the riverfront, and provides additional housing options in Silverthorne. Design compatibility within the Riverfront District can be achieved through consideration of building scale, design, proportions, site planning, landscaping, materials and colors, and compliance with the standards contained herein.

1.1.3. These 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 in the Riverfront 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 these 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 shall 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 Riverfront 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 in a pedestrian setting.

2.1.2 The Riverfront District contains a mixture of retail, residential, and light commercial uses. The District is envisioned as a high density residential district with distinct character and a strong relationship to the Blue River. Development that respects and enhances river access and preserves mountain vistas is encouraged in order to promote the unique beauty of the Blue River area and create a vibrant active environment.

GOALS

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

- a. Encourage development that presents an image of high quality and value;
- b. Set minimum quality standards for site design and building architecture;
- c. Develop an attractive corridor with buildings oriented to preserve views and to maintain access to the riverfront;
- d. Promote high density residential development with a strong relationship to the Blue River;
- e. Locate parking lots to be screened by buildings or landscaping from public view or in parking structures;
- f. Encourage shared parking and access between sites;
- g. Allow for pedestrian activity from both the street and

the river side of the buildings by advocating for dual pedestrian entryways, one facing the street and one facing the river;

- h. Provide a pedestrian trail system with wider paths along the Blue River that are enhanced with pedestrian bridges that cross the Blue River;
- i. Encourage energy conservation in building design and materials through solar exposure, appropriate orientation and other measures;
- j. Promote a sense of permanence and richness in the area by requiring the use of high quality materials;
- k. 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;
- l. Provide for integrated lighting into building and site design;
- m. Create a compatible and attractive landscape scheme within the Riverfront District; and
- n. Safely screen storage areas, mechanical equipment and loading areas from public rights-of-way.

SECTION 3: SITE DESIGN STANDARDS AND GUIDELINES

GOAL 3.1: BUILDING ORIENTATION AND LOCATION ON THE SITE

Orient buildings such that views to the Blue River are preserved, and public access is maintained between developments and to the Blue River.

GUIDELINES

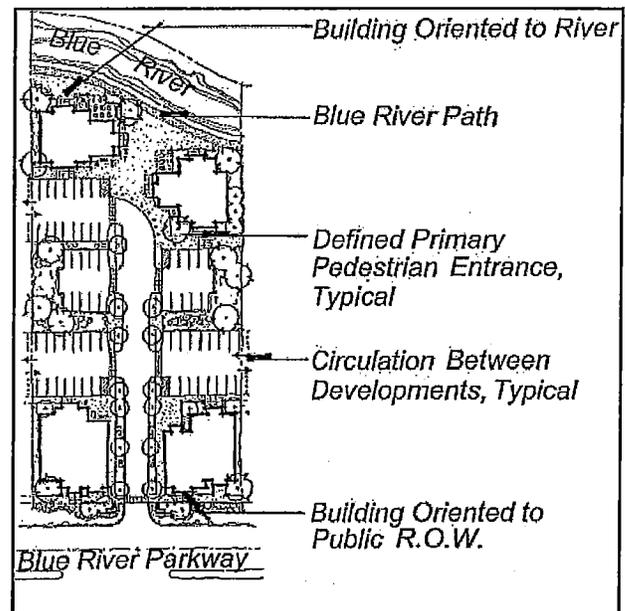
3.1.1. Development that creates a 'wall' that blocks access to the Blue River, or access between developments is discouraged.

3.1.2. Front facades should be aligned with adjacent buildings to promote visual continuity parallel to the street edge and the river side of the site.

3.1.3. Architectural elements that enhance the pedestrian environment and create an inviting atmosphere, including balconies, canopies, porches, patios, creative walkways, and gathering spaces are encouraged. Orientation of such elements should prevent the shedding of snow onto pedestrian areas.

3.1.4. 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 balconies and gathering areas take advantage of solar access, is encouraged.



GOAL 3.2: PEDESTRIAN ACCESS AND CIRCULATION

Create a safe, continuous pedestrian network that minimizes conflict with vehicular traffic movement, while providing a convenient option for pedestrian movement within and between developments.

STANDARDS

3.2.1 The Blue River Path is an important focus of the Riverfront District. Developments shall provide a trail connection along the river, in accordance with the Town of Silverthorne Parks, Trails, and Open Space Master Plan and Town Code, as well as interconnections between adjacent sites.

3.2.2. 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.

3.2.3. Continuous internal pedestrian walkways within a development site, not less than six feet in width, shall be provided from building entries to adjacent sidewalks, trails, and public rights-of-way, and to other focal points of pedestrian activity.

GUIDELINESS

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 provides for safe and efficient access and movement associated with the property, and minimizes curb cuts on HWY 9.

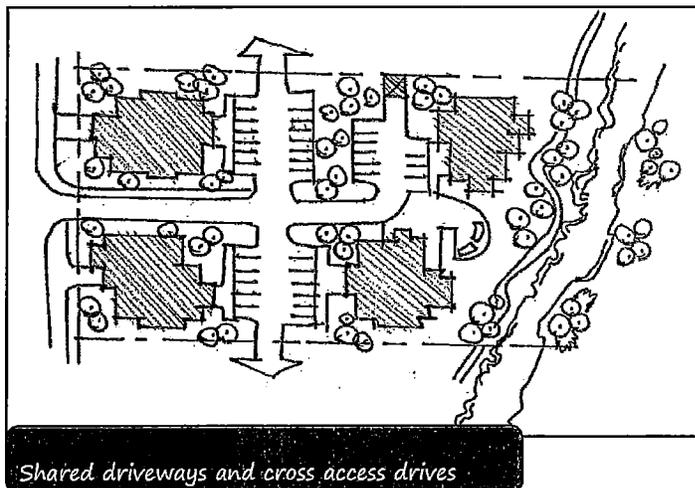
STANDARDS

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

GUIDELINES

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

3.3.3. The consolidation of adjacent lots is strongly encouraged to create cohesive development projects. Developments should consider cross access drives that may provide shared access to multiple properties.



GOAL 3.4: PARKING

Promote parking areas that are located within buildings, enhanced with landscaping, and located to minimize negative visual impacts from public rights-of-way.

STANDARDS

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

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

GUIDELINES

3.4.3. Parking within buildings, including parking located in architecturally integrated garages, is encouraged to minimize the amount of uncovered surface parking

3.4.4. Developments should consider shared parking areas with adjacent properties, or consolidated parking reservoirs within the Riverfront District

3.4.5. To the maximum extent feasible, parking should be to the side of or behind a building in a landscaped parking area and screened from view from public rights-of-way and pedestrian walkways.

GOAL 3.5: LANDSCAPE

Utilize landscaping to screen parking, enhance the Blue River corridor, and create an attractive environment within and along the edges of each development parcel..

STANDARDS

3.5.1. Developments must provide landscaping that addresses and complements the recreational aspect of the Blue River. To that effect, the natural vegetation surrounding the river should be preserved, to the greatest extent feasible.

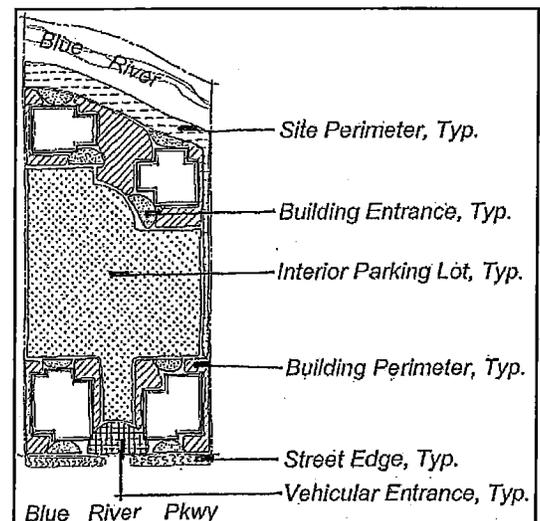
3.5.2 Landscaping shall complement buildings, accent building entries, serve as a decorative element, screen parking and service areas, and define onsite circulation. Landscaping shall not interfere with the line of sight of vehicle drivers entering or leaving the site.

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

3.5.4. 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.

GUIDELINES

3.5.4. Landscaped neighborhood gathering spaces, including courtyards, mini parks, neighborhood greens, and playgrounds are encouraged within high density residential developments.



3.5.5. Public open spaces should be located and oriented to encourage recreation, enhance the Blue River corridor, and take advantage of natural resources. Public open spaces should not be located in vulnerable places along the river, or where they might contribute to the degradation of the riverbank.

GOAL 3.6: LIGHTING

Maintain the character of the Riverfront District by providing lighting that enhances buildings, minimizes light pollution, and contributes to a safe and walkable environment.

GUIDELINES

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

3.6.2. Pedestrian scale lighting is encouraged to enhance the experience and safety of the pedestrian in the Riverfront District.

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.

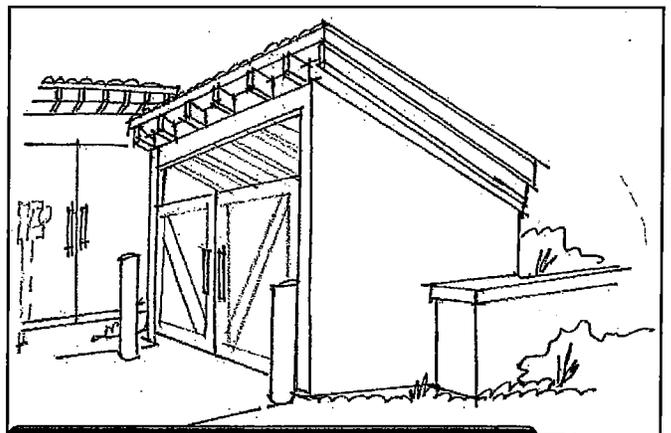
STANDARDS

3.7.1. General

- a. All utility, telecommunications, ground mounted and roof-top mechanical equipment shall be shown on the final approved site plan for the proposed project development.
- 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.

3.7.2. Refuse, Recycling, Storage and Service Areas

- a. Refuse, recycling, storage, 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 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/



Dumpster Enclosure with a Roof

or ancillary equipment shall be screened from public view with a permanent, solid, opaque fence; or with landscaping designed to create year-round screening. Fences shall be designed to match the architecture of the primary structure.

3.7.3. Utility, Telecommunications and Mechanical Equipment

- a. Avoid locating telecommunications equipment, mechanical equipment, utility connections and service boxes on the primary façade 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 to the greatest extent practical. 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.

SECTION 4: ARCHITECTURAL STANDARDS AND GUIDELINES

GOAL 4.1: BUILDING HEIGHT, FORM, AND MASS

Ensure that building form, mass, and proportions provide significant visual interest, incorporate elements scaled to the pedestrian, and maintain a strong relationship with the Blue River.

STANDARDS

4.1.1. The maximum building height in the Riverfront District is thirty five (35) feet. 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 scale, the quality of the Blue River, and the street. The following techniques may be used to meet this objective:

- a. Shifts in building massing, variations in height, profile and roof form that provide human scale while maintaining a consistent relationship of the overall building form to the street edge and the river;
- b. Minimize long expanses of wall at a single height or in a single plane;
- c. Provide projecting elements; and
- d. Group elements to provide balanced facade composition.

4.1.3. Reduce the bulk of a multi-story building to be on a pedestrian scale. The design shall emphasize a “base”, “middle”, and “top”.

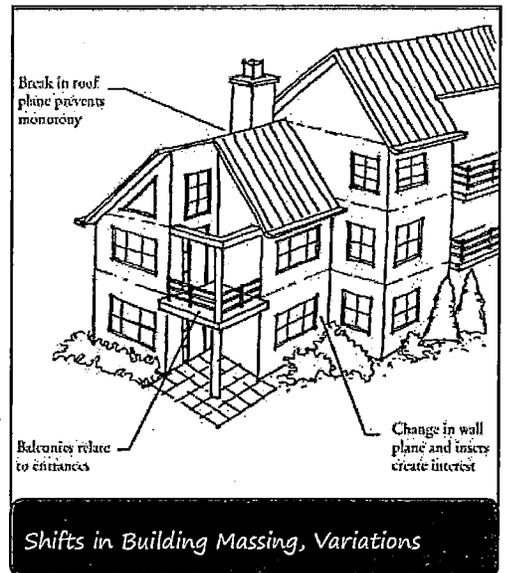
- a. A distinctive “base” at the ground level shall use articulation and materials such as: Timber, wood, stone, masonry, decorative concrete, or other similar materials. In addition, “base” elements may include windows, architectural details, canopies, bays, or overhangs.
- b. The “middle” of the building shall be made distinct by change in material or color, windows, balconies, step-backs, and/or signage.
- c. The “top” of the building shall emphasize a distinct profile or outline with elements such as: A projecting parapet, cornice, upper level step-back, or creative roofline.

4.1.4. The mass of the pedestrian portion of a commercial or mixed use building shall be broken down to a human scale with a strongly marked primary entry at the “base”.

4.1.5. The mass of multi-family residential buildings shall be broken down to a human scale with creative window and door patterns, upper level balconies, angled wall planes, or other distinct architectural elements.

GUIDELINES

4.1.6. Buildings should decrease in height or ‘step down’ as they get nearer to the river or public rights of way to enhance the pedestrian experience.



4.1.7. All structures should strive to have 'four-sided' architecture, and all sides should have similar architectural details.

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

GOAL 4.2: BUILDING FACADES AND ARCHITECTURAL ELEMENTS

Create an image of high quality development. Encourage a variety of architectural elements that avoid featureless design and uninterrupted repetition of building materials.

STANDARDS

4.2.1. Buildings shall be designed to provide human scale, interest, and variety. (Human scale means the size or proportion of the building element or space, relative to the structural or functional dimensions of the human body.) The following techniques shall be used to meet this objective:

- 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; and
- c. Emphasize building entries through projecting or recessed forms.

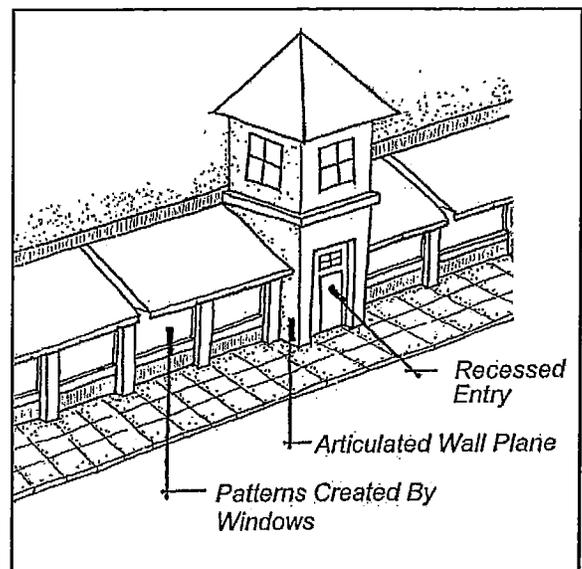
4.2.2. Provide human scale through change in plane, contrast and intricacy of form. Avoid large areas of undifferentiated or blank building facades.

4.2.3. Buildings shall be designed with consistent and/or compatible details on all sides visible from public right-of-ways and the Blue River.

4.2.4. Each commercial or mixed use 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.

4.2.5. Building façades shall not exceed 50 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.

4.2.6. Each building façade shall have a repeating pattern that includes no less than three instances of either: color change, texture changes, material change, or expression of a structural, architectural feature.



GUIDELINES

4.2.7. Buildings with facades facing both the Blue River Parkway and the Blue River are encouraged to have "double sided" entries.

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 Riverfront District.

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 Riverfront 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. For commercial and mixed use buildings, at least 50% of the first floor of the primary façade facing a street shall be transparent glass to differentiate the pedestrian area from the remainder of the building and to create an inviting pedestrian environment. Upper floor window elements may be less prominent.

4.3.5. 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 Riverfront District Design Standards and Guidelines. The use of mirrored or reflective glass is prohibited.

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

GUIDELINES

4.3.7. 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.

4.3.8. 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

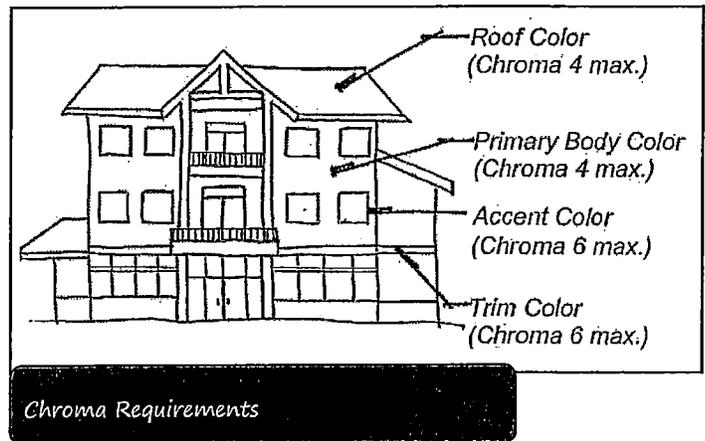
Exterior building colors shall be aesthetically pleasing and compatible with colors of nearby conforming structures.

STANDARDS

4.4.1. Color choices for all buildings shall be made within the range delineated according to these Design Standards in relation to the Munsell color notation system from the Munsell Book of Color 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 Town Core and Destination Commercial Design Districts.
- 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 where possible.

STANDARDS

4.5.1. Buildings shall be designed 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, the use of 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 or sloped 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

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

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

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

4.5.10. 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.

Town of Silverthorne
Town Council Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager 
Mark Leidal, AICP, Assistant Town Manager 
FROM: Susan Lee, AICP 
DATE: July 1, 2015, for meeting of July 8, 2015
SUBJECT: Second Reading of Ordinance 2015-09, An Ordinance amending Chapter 2, Article VII, Section 8, to allow on street parking within the Town Core District

SUMMARY: 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.

PREVIOUS COUNCIL ACTION: 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 Core District as a compact, pedestrian-oriented, commercial area, with on street parking in the Town Core. On June 24, 2015, Town Council approved Ordinance 2015-09 on first reading, by a vote of 5-1.

BACKGROUND: In August of 2014, Town Council reviewed the Design District Standards in a Worksession with Staff and requested that Staff take a closer look at the Standards and the Town Core Design District in particular. Staff worked with Planning Commission and EDAC to refine the desired character of the Town Core District. Through this process the standards for the development of the Town Core District as a compact, pedestrian-oriented commercial area with distinct architecture were defined. At the February 25, 2015 meeting, Town Council adopted the revised Town Core Design District Standards.

STAFF COMMENTS: Several elements of the Town Core Design District Standards are directly related to parking and site access. These include requiring the location of parking facilities to be in the rear or behind buildings, and accessed from an alley when feasible, and encouraging the creation of on-street parking or participation in a Town Core Parking District. Staff was directed to take a closer look at how on-street parking could be implemented with the existing road network in the Town Core District. On May 25, 2015 Staff presented a conceptual on street parking template to Town Council. Two primary areas of focus were discussed, both within the Town Core District: Rainbow Drive and the areas west of Highway 9 between 6th Street and Buffalo Mountain Drive.

PROPOSED MOTION:

"I move approve Ordinance 2015-09, an ordinance amending Chapter 2, Article VII, Section 8, to allow on street parking within the Town Core District, on second reading."

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

Town of Silverthorne
Town Council Memorandum

ATTACHMENTS:

Exhibit A: Ordinance No. 2015-09 – Slash and Underline version

Exhibit B: Map of Town Core District

MANAGER'S COMMENTS:

Exhibit A

**TOWN OF SILVERTHORNE, COLORADO
ORDINANCE NO. 2015-09**

**AN ORDINANCE AMENDING SECTION 2-7-8 OF THE SILVERTHORNE TOWN
CODE, RELATED TO PARKING**

WHEREAS, parking standards are within the regulatory authority of the Town, acting through the Town Council;

WHEREAS, Section 2-7-8 of the Silverthorne Town Code regulates parking in the Town and generally prohibits parking on Town streets, with certain exceptions;

WHEREAS, the Town Council wishes to allow parking on streets and in public rights-of-way in the Town Core District, subject to certain restrictions; and

WHEREAS, the Town Council has conducted a public hearing on the proposed revision to the Silverthorne Municipal Code to allow such parking, and finds that the revision 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. Code Amendment. Section 2-7-8 of the Silverthorne Town Code is hereby amended as follows:

Sec. 2-7-8. ~~Parking prohibited at all times.~~

(a) Prohibition. No person shall park any motor vehicle, trailer, recreational vehicle or camper, whether or not self-powered, on any street or in any public right-of-way within the Town at any time. No driver shall stop or park a vehicle and no owner of a vehicle shall fail to prevent the stopping or parking of that vehicle in violation of any of the prohibitions or requirements of this Section. It shall constitute prima facie evidence that the registered owner of the vehicle in violation was the person who stopped or parked the unattended vehicle. In any event, both the owner and the driver are jointly and severally liable for any such violation. Vehicles parked in violation of this Section may be towed and impounded in the manner provided by Section 2-7-9 below and applicable state law. Motor vehicles owned or controlled by the Town while performing maintenance and fire, ambulance and police vehicles responding to calls or performing enforcement shall be exempt from this Section.

(b) Permitted Exceptions. Notwithstanding Subsection (a) above, permits may be granted by the Town Manager allowing motor vehicle parking on a specified portion or portions of a street or right-of-way, upon a finding that all of the following conditions exist:

- (1) Adequate street or right-of-way exists;
- (2) The parking will not interfere with Town use of the street or right-of-way affected; and
- (3) The parking will not create a risk to public safety.

The Town Manager may impose any condition, including time limits, upon any permit granted pursuant to this Section.

(c) ~~Parking restrictions~~ on Marmot Circle, Woodchuck Court, Badger Court, East Rabbit Court, East Fox Court, East Coyote Court, West Coyote Drive, Bighorn Circle and North Chipmunk Circle. Notwithstanding Subsection (a) above, any properly registered, fully operational licensed, operative motor vehicle designed primarily for public highway travel, may be parked for a period not to exceed seventy-two (72) hours on the following Town streets:

Marmot Circle, as shown on the plat of Willowbrook Meadows Subdivision, Filing No. 4, recorded on June 15, 1981 at Reception No. 224765

Woodchuck Court, as shown on the plat of Willowbrook Meadows Subdivision, Filing No. 1, recorded on November 30, 1976 at Reception No. 161004

Badger Court, as shown on the recorded plat of Willowbrook Meadows Subdivision, Filing No. 1, recorded on November 30, 1976 at Amended Reception No. 161004

Bighorn Circle, as shown on the recorded plat of Willowbrook Meadows Subdivision, Filing No. 4, recorded on June 15, 1981 at Reception No. 224765

West Coyote Drive, Block J, as shown on the recorded plat of Willowbrook Meadows Subdivision, Filing No. 4, recorded on June 15, 1981 at Reception No. 224765

West Coyote Drive, Block F, as shown on the recorded plat of Willowbrook Meadows Subdivision, Filing No. 3, recorded on October 23, 1979 at Reception No. 198525

East Coyote Court, as shown on the recorded plat of Willowbrook Meadows Subdivision, Filing No. 2, recorded on January 18, 1979 at Reception No. 186904

North Chipmunk Circle, as shown on the recorded plat of Willowbrook Meadows Subdivision, Filing No. 3, recorded on October 23, 1979 at Reception No. 198525

East Rabbit Court, as shown on the recorded plat of Willowbrook Meadows Subdivision, Filing No. 2, recorded on January 18, 1979 at Reception No. 186904

East Fox Court, as shown on the recorded plat of Willowbrook Meadows Subdivision, Filing No. 2, recorded on January 18, 1979 at Reception No. 186904

(d) Parking in the Town Core District. Notwithstanding Subsection (a) above, a properly registered, fully operational motor vehicle designed primarily for highway travel may be parked on a street or in a public right-of-way in the Town Core District in compliance with posted signs, in marked spaces.

(e) In no event shall any vehicle, trailer, boat, ATV, snowmobile, equipment or personal property of any kind or description other than a properly registered, fully operational licensed, ~~operative~~ motor vehicle designed primarily for public highway travel be parked or stored, for any period of time on the excepted foregoing listed Town streets or Districts.

(f) The Town streets and public rights-of-way upon which parking is permitted by this Section Subsection may be further restricted by the posting by the Town of "no parking," "parking only between signs," or similar signs. In no event shall the seventy-two (72) hour limitation or any other limitation of this Section Subsection be altered or waived by the use of such signs.

(g) Except as provided by this Section Subsection, all other requirements of the Town Code shall continue to apply.

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. Effective Date. This ordinance shall be effective upon adoption at second reading, pursuant to Sections 4.5 and 4.7 of the Silverthorne Home Rule Charter.

READ AND PASSED ON FIRST READING THIS 24th DAY OF June, 2015.

ADOPTED ON SECOND AND FINAL READING THIS 8th DAY OF July, 2015.

TOWN OF SILVERTHORNE, COLORADO

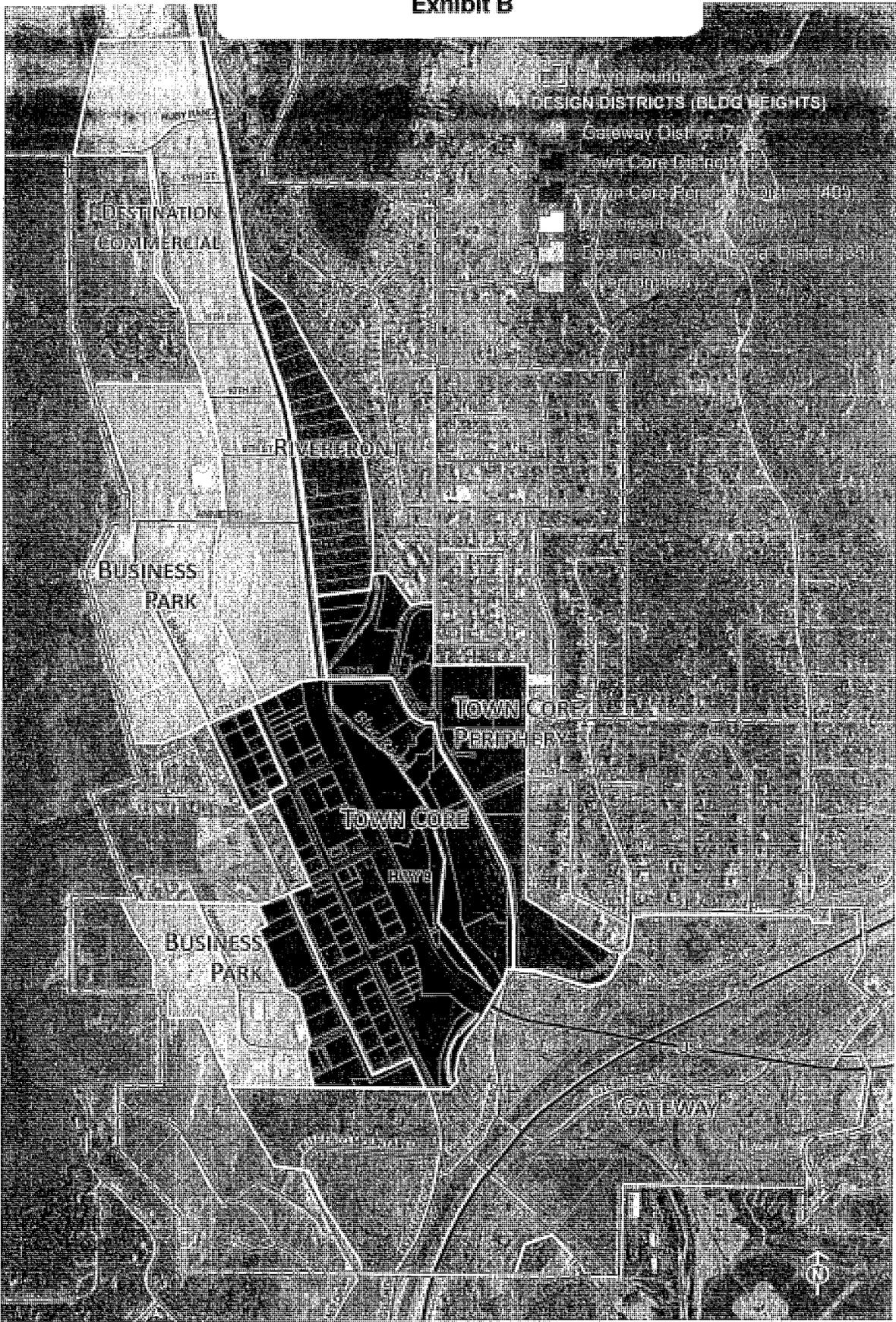
Bruce Butler, Mayor

ATTEST:

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

Exhibit B



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Town of Silverthorne
Council Agenda Memorandum

TO: Mayor Bruce Butler and Town Council
THRU: Ryan Hyland, Town Manager
FROM: Bill Linfield, Public Works Director
DATE: July 1, 2015, for meeting of July 8, 2015
SUBJECT: Ordinance No. 2015 – 10, an Ordinance approving the Conveyance of Real Property (Public Service Company of Colorado Easement – Lot 10, Silverthorn Colorado Subdivision) – Second Reading

SUMMARY: This Ordinance grants a non-exclusive easement to Public Service Company of Colorado across a portion of Town owned Lot 10, Silverthorn Colorado Subdivision. The easement would allow the undergrounding of an existing overhead power line that currently crosses both the Town property and the recently approved Rainbow Run property.

BACKGROUND: There is an existing overhead Xcel line that crosses over Lots 10 and 11 of Silverthorne Colorado Subdivision. The line crosses both lots about halfway back from the highway to the river.

DISCUSSION: Due to the recently approved Rainbow Run project, the portion of this line on their property is being relocated and undergrounded. The Town has an opportunity to also relocate and underground the line as it crosses our lot at a reasonable rate (less than \$10,000) because of the work on the Rainbow Run project. The new underground line will be moved out towards the highway, then down along the existing drainage on the south side of the Town Lot within the proposed easement. This will eliminate this impact of an overhead line in the center of the Town Lot. In order for the Town to participate in this project and have this line relocated, the Town needs to grant a new easement to Xcel. The easement is attached as Exhibit A.

STAFF RECOMMENDATION: Staff recommends that Council approve Ordinance No. 2015 – 10, an Ordinance Approving the Conveyance of Real Property (Public Service Company of Colorado Easement – Lot 10, Silverthorn Colorado Subdivision) on second reading.

PROPOSED MOTION: *“I move to approve Ordinance No. 2015 – 10, an Ordinance Approving the Conveyance of Real Property (Public Service Company of Colorado Easement – Lot 10, Silverthorn Colorado Subdivision) on second reading.”*

ATTACHMENTS:

Exhibit A: Ordinance No. 2015 – 10 and easement description

**TOWN OF SILVERTHORNE, COLORADO
ORDINANCE NO. 2015 – 10**

**AN ORDINANCE APPROVING THE CONVEYANCE OF REAL PROPERTY
(Public Service Company of Colorado Easement – Lot 10, Silverthorn
Colorado Subdivision)**

WHEREAS, the Town of Silverthorne (the “Town”) is the owner of certain parcels of real property, including Lot 10, Silverthorn Colorado Subdivision; and

WHEREAS, Public Service Company of Colorado, an Xcel Energy Company, has requested the conveyance of a 5-foot easement within Lot 10, Silverthorn Colorado Subdivision, in order to construct, operate, maintain, repair, and replace utility lines and all associated fixtures and devices therein; and

WHEREAS, the easement proposed is described and shown on Exhibit A; and

WHEREAS, Section 14.1 of the Town’s Home Rule Charter requires that any purchase, sale, exchange or transfer of an interest in real property by the Town be approved by ordinance; and

WHEREAS, the Town Council wishes to approve the conveyance of a 5-foot non-exclusive easement on Lot 10, Silverthorn Colorado Subdivision, for the benefit of Public Service Company of Colorado, as described and shown on Exhibit A.

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

Section 1. Property Conveyances Approved

Pursuant to and in compliance with Section 14.1 of the Silverthorne Home Rule Charter, the conveyance to Public Service Company of Colorado of a 5-foot easement on Lot 10, Silverthorn Colorado Subdivision for nominal consideration is hereby approved.

Section 2. Execution of Easement

The Mayor and Town Clerk are hereby authorized and directed to sign and record the Public Service Company of Colorado easement, attached as Exhibit A.

Section 3: Safety Clause

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

Section 4: 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 5: 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 6. Effective Date

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

READ, MOVED, SECONDED, AND PASSED ON FIRST READING, THIS 24th DAY OF JUNE, 2015.

ADOPTED ON SECOND AND FINAL READING THIS 8th DAY OF JULY, 2015.

TOWN OF SILVERTHORNE, COLORADO

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

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Town of Silverthorne
Town Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager *RH*
Mark Leidal, Assistant Town Manager *ML*
FROM: Lina Maria Lesmes, AICP, Senior Planner *LM*
DATE: July 3, 2015, for meeting of July 8, 2015
SUBJECT: Replat, Conditional Use Permit, and Final Site Plan for Angry James Brewery at 421 Adams Avenue (PT 2015-5)

SUMMARY: The applicants, AJ and Darcy Brinckerhoff, co-owners of Angry James Brewing Company, are requesting approval of a Replat, Conditional Use Permit, and Final Site Plan to construct a small craft brewery on Adams Avenue, with an apartment on the second story. The Replat is proposed to combine two existing lots, and create a sewer line easement.

BACKGROUND: The applicants purchased Lots 3 and 4, Block H, Silverthorne Colorado Subdivision on September 5, 2014. Their intent is to construct a small craft brewery that will initially produce seven types of beer that may be sold onsite or to local restaurants and bars. The building includes a small retail area, seating space for beer tasting and eating, an outdoor beer garden, and an onsite grain silo.

PREVIOUS COUNCIL ACTION: The plat of the Silverthorne Colorado Subdivision was approved by Summit County on September 14, 1960. The plat created Blocks A through H, each comprised of 24 lots measuring 50 feet by 140 feet each, on average. On September 26, 2001, Town Council denied a Site Plan and Conditional Use Permit for G&H Plaza, which consisted of a warehouse/contractor trades building with three apartments on the second floor.

On April 22, 2015, by a vote of 4-0, Town Council approved the Preliminary Site Plan for Angry James Brewery, with the following conditions:

1. That a Conditional Use Permit application for the second story apartment be submitted with the Final Site Plan.
2. That a Minor Subdivision plat be submitted with the Final Site Plan to combine the lots associated with the site plan for Angry James Brewery.
3. That the applicant work with the Public Works Department to obtain a reduction in the 10-foot setback requirement for driveways that provide site ingress and egress.
4. That all onsite surface parking for non-residential uses be minimized, as required by Standard 3.4.3 of the Town Core District Design Standards and Guidelines.
5. That all 90° parking spaces be revised to provide a minimum length of 18 feet, as required by Section 4-6-10.e.2.
6. That all parking facilities be located a minimum of 10 feet from a property line, as required by Section 4-6-10.e.4.m.
7. That the landscape plan be revised to incorporate alternative forms of landscaping, as required by Standard 3.5.1 of the Town Core District Design Standards and Guidelines.

8. 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.
9. That the building location be revised such that 60% of the property frontage consists of a building located within 5 feet of the front property line, as required by Standard 3.1.2 of the Town Core District Design Standards and Guidelines.
10. That the building entrance be revised such that it is located at the street level, as required by Standard 3.1.3 of the Town Core District Design Standards and Guidelines.
11. 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.

DISCUSSION: The proposed Replat vacates the lot line between Lots 3 and 4 to create Lot 3R, and formalizes the 8-foot sewer line easement in the rear. The Replat meets the requirements of Section 4-5-14, Replat, Vacation, or Plat Amendment, and the requirements of Section 4-5-15, Certifications.

As a condition of approval of the Preliminary Site Plan, the applicant was required to submit a request for a Conditional Use Permit for the 1-bedroom apartment above the brewery/restaurant. Apartments in mixed-use building are categorized as '*Multi-family dwelling units*', which is a Conditional Use in the C-1 Zone District. All the criteria set forth in Town Code Section 4-4-19 (d) are met with the proposed Conditional Use Permit.

Staff finds that the Angry James Brewery Final Site Plan meets several of the goals and polices of the Comprehensive Plan. In addition, Staff finds that the proposal meets the applicable lot coverage, setbacks, and lot frontage requirements specified in Section 4-4-9, C-1 Light Commercial Zone District. In order to address conditions of approval of the Preliminary Site Plan, revisions were submitted to address the parking and landscaping requirements specified in Sections 4-6-10 and 4-6-11. The applicant also submitted revisions to address all the standards of the Town Core District Design Standards and Guidelines.

PLANNING COMMISSION RECOMMENDATION: On June 30, 2015, by a vote of 6-0, Planning Commission voted to recommend approval of the Replat, Conditional Use Permit, and Final Site Plan for Angry James Brewery with the following conditions:

1. The Conditional Use Permit is personal to the applicant, Bender and Brinckerhoff, LLC, (dba Angry James Brewery), and is nontransferable. Should the applicant's ownership terminate, the CUP shall expire.
2. The applicant will be required to contribute the proportionate share of the cost of constructing the sidewalk and on-street parking, including curb and gutter, directly in front of the subject property prior to the issuance of a Certificate of Occupancy.
3. A License Agreement must be approved for the stairway that is proposed to be constructed in the Adams Avenue Right-of-Way.

Suggested Motion: "I move to approve the Angry James Brewery Replat, Conditional Use Permit, and Final Site Plan with the Planning Commission recommended conditions."

ATTACHMENTS: Staff Report and Exhibits

MANAGER'S COMMENTS:

Town of Silverthorne, Colorado
Town Council Staff Report

From: Lina Maria Lesmes, AICP, Senior Planner *LM*

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

Date: July 3, 2015, for meeting of July 8, 2015

Subject: Replat, Conditional Use Permit, and Final Site Plan for Angry James Brewery (PT2015-5)

Owner/Applicant: AJ and Darcy Brinckerhoff

Architect: Marc Hogan, BHH Partners

Proposal: A Replat, Conditional Use Permit, and a Final Site Plan for a new micro-brewery and second story apartment. *(Please see the attached plans for further information.)*

Address: 421 Adams Avenue

Legal Description: Lots 3 & 4, Block H, Silverthorne Colorado Subdivision

Site Area: 0.32 acres or 14,000 square feet

Zone District: Light Commercial (C-1)

Design District: Town Core District

Site Conditions: The site contains is currently vacant, with vegetation consisting of grasses and sage. The property slopes gently downward to the east.

Adjacent Uses:

North:	Wagner Rents - Equipment Rental and Storage (C-1)
South:	Twin Season Vacations - Rental Office/Apt (C-1)
East:	Adams Avenue and vacant land (C-1)
West:	Single Family Residences and Apartment Building accessed from a shared drive (R15)

Height:

Allowed:	45 feet
Proposed:	24.3 feet

Lot Coverage:

Allowed:	60% of lot area or 8,400 square feet
Proposed:	25% of lot area or 3,436 square feet

Parking:

Required:	11 plus 1 van accessible handicap space
Proposed:	16 plus 1 van accessible handicap spaces

Snow Storage: Required: 1,682 square feet or 25% of paved surface
Proposed: 1,701 square feet or 25.2% of paved surface

Landscaping: Required: 9 trees and 14 shrubs
Proposed: 9 trees and 14 shrubs

Setbacks:	<u>Required:</u>	<u>Proposed:</u>
Front:	0 feet	0 feet
Side (N):	0 feet	15 feet
Side (S):	0 feet	20 feet
Rear:	10 feet	67 feet

BACKGROUND: The applicants, AJ and Darcy Brinckerhoff, co-owners of Angry James Brewing Company, purchased Lots 3 and 4, Block H, Silverthorne Colorado Subdivision on September 5, 2014. Their intent is to construct a small craft brewery on Adams Avenue, with an apartment on the second story. The brewery will initially produce seven types of beer that may be sold onsite or to local restaurants and bars. The building includes a small retail area, seating space for beer tasting and eating, an outdoor beer garden, and an onsite grain silo.

PREVIOUS COUNCIL ACTION: The plat of the Silverthorne Colorado Subdivision was approved by Summit County on September 14, 1960. The plat created Blocks A through H, each comprised of 24 lots measuring 50 feet by 140 feet each, on average. On September 26, 2001, Town Council denied a Site Plan and Conditional Use Permit for G&H Plaza, which consisted of a warehouse/contractor trades building with three apartments on the second floor.

On April 22, 2015, by a vote of 4-0, Town Council approved the Preliminary Site Plan for Angry James Brewery, with the following conditions:

1. That a Conditional Use Permit application for the second story apartment be submitted with the Final Site Plan.
2. That a Minor Subdivision plat be submitted with the Final Site Plan to combine the lots associated with the site plan for Angry James Brewery.
3. That the applicant work with the Public Works Department to obtain a reduction in the 10-foot setback requirement for driveways that provide site ingress and egress.
4. That all onsite surface parking for non-residential uses be minimized, as required by Standard 3.4.3 of the Town Core District Design Standards and Guidelines.
5. That all 90° parking spaces be revised to provide a minimum length of 18 feet, as required by Section 4-6-10.e.2.
6. That all parking facilities be located a minimum of 10 feet from a property line, as required by Section 4-6-10.e.4.m.
7. That the landscape plan be revised to incorporate alternative forms of landscaping, as required by Standard 3.5.1 of the Town Core District Design Standards and Guidelines.
8. 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.

9. That the building location be revised such that 60% of the property frontage consists of a building located within 5 feet of the front property line, as required by Standard 3.1.2 of the Town Core District Design Standards and Guidelines.
10. That the building entrance be revised such that it is located at the street level, as required by Standard 3.1.3 of the Town Core District Design Standards and Guidelines.
11. 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.

STAFF COMMENTS – REPLAT: Lots 3 and 4, Block H, Silverthorne Colorado Subdivision were subdivided in September of 1960. There is an existing 8-foot sewer line easement along the rear of the lots, which exists on all the lots in the Silverthorne Colorado Subdivision, and which was recorded via separate document. The proposed Replat vacates the lot line between Lots 3 and 4 to create Lot 3R, and formalizes the 8-foot sewer line easement in the rear. This meets Condition #2 of the Preliminary Site Plan.

Section 4-5-14 provides a process of review for minor changes to recorded plats. All Replat approvals shall be in conformance with the Town Comprehensive Plan, the zoning requirements of Article IV, the requirements of Section 4-5-14, Replat, Vacation, or Plat Amendment, and the requirements of Section 4-5-15, Certifications. Staff finds that the plat is in general conformance with the Comprehensive Plan, and meets all the requirements of the Town Code.

STAFF COMMENTS – CONDITIONAL USE PERMIT (CUP) - The applicant is requesting approval of a Conditional Use Permit for a 1-bedroom apartment above the brewery/restaurant. Apartments in mixed-use building are categorized as 'Multi-family dwelling units', which is a Conditional Use in the C-1 Zone District. Conditional Uses are allowed when Planning Commission and Town Council find that the criteria set forth in Town Code Section 4-4-19 (d) are met. Below are the criteria for evaluation of CUPs:

1. ***Whether the proposed use or development otherwise complies with all requirements imposed by this Chapter.***

Applicant Response: The apartment complies with the requirements imposed by the Town Code. Our building is zoned commercial with mixed-use allowed.

The applicant is proposing a 400 square-foot, 1-bedroom apartment on the second level of the building. Staff finds that apartments, categorized in the Town Code as 'Multi-family Dwelling Units', are appropriate in the C-1 Zone District and in the Town Core Design District when combined with commercial uses. As noted in the next section of this report, all other zoning requirements and development standards required by Chapter 4 of the Town Code have been met with this application.

2. ***Whether the proposed use or development is in conformance with the Town's Comprehensive Plan.***

Applicant Response: The apartment is in conformance with the Town's Comprehensive Plan. The mix of use of commercial with an apartment upstairs fits with the Comprehensive Plan.

Staff finds that an apartment combined with a brewery/restaurant is consistent with the intent of the Comprehensive Plan and the Town Core Design District. In this location, the use will contribute to the compact, mixed-use development style that is envisioned by the Comprehensive Plan for the Town Core District. The mixed use development will also foster a walkable pedestrian environment and the quality of a downtown experience. Staff finds that this criterion is met.

3. Whether the proposed use or development is compatible with adjacent uses. Such compatibility may be expressed in appearance, architectural scale and features, site design, and the control of any adverse impacts, including noise, dust, odor, lighting, traffic, safety and impact on property values of the surrounding area.

Applicant Response: The use of an apartment on the second story of the building will be compatible with the neighboring properties. To the west of the building there is residential housing, both single family and multi-family. The architecture of the entire building being built will feature three appropriate building materials as required by the Town Code, and will add value to a piece of currently vacant land.

The proposed mixed-use development is proposed in a commercial district, and is surrounded by a variety of uses, including equipment rental, offices, and residential properties. The applicant is proposing a fence on the west, in order to minimize adverse impacts related parking, noise, and lighting on the adjacent residential properties. The new, compact building will enhance the Town Core, and positively impact property values of the surrounding area. Staff finds that this standard is met.

4. Suitability of location for the use or development.

Applicant Response: Since our building will be located in the Town Core, a combination of commercial and residential use is suitable for this location.

The development is proposed on a currently vacant lot, in the heart of the Town Core Design District. The location benefits from its proximity to the Town's public parking area and the Summit Stage transfer center. As such, the location is suitable, if not ideal, for a mixed use building consisting of a micro-brewery, outdoor seating, and a second-story apartment. Staff finds that this criterion is met.

5. History of compliance by the applicant with the requirements of this Code and prior conditions, if any, regarding the subject property.

Applicant Response: We have no previous history of conducting business in the Town Core; this is the first application for us. We have been working with the Town on our site plan application to ensure we are in compliance with all Town Codes.

Because this is a new business that is hoping to have a presence in Silverthorne, there is no record or history of lack of compliance by the applicant, Bender and Brinckerhoff, LLC, dba Angry James Brewery. This criterion is met.

6. Ability of the applicant or any successor-in-interest to continuously meet the conditions of the proposed permit.

Applicant Response: As the apartment will be a permanent part of the building, we the applicants and any future successor-in-interest will be able to meet the conditions of the proposed permit.

The proposed use of 'Multi-Family Dwelling Unit' is accessory and subordinate to the primary use of the property. As is customary of Conditional Use Permits, the CUP for the second-story apartment will be personal to the applicant, Bender and Brinckerhoff, LLC, and will not be transferrable. Any future modifications or alterations to the use will be reviewed for compliance with the Town Code and the Comprehensive Plan, and ownership transfers will require a new Conditional use Permit. Staff finds that the applicant can meet the condition imposed on the CUP, meeting this criterion.

7. Other factors relevant to the specific application.

Applicant Response: We feel the addition of a mixed-use building in the Town Core will help promote the Town Core and help bring the Comprehensive Plan to fruition.

Any violations of the terms of the CUP can be processed as Code Enforcement, if necessary. This criterion is met.

STAFF COMMENTS – FINAL SITE PLAN: The Site Plan review process is reviewed by Planning Commission and Town Council at the Preliminary and Final levels to determine if the plan complies with the Comprehensive Plan, Code requirements, and Design District Standards.

Comprehensive Plan: The Silverthorne Comprehensive Plan reflects the goals and objectives of the community. The first criterion for review of a Final Site Plan is consistency with the goals and policies of the Comprehensive Plan. Staff finds there are a number of Comprehensive Plan goals relevant to this proposed development.

Policy LU 1.6 – Ensure that all development is well-integrated with multi-modal transportation options and provides for safe connections between destinations.

Policy LU 1.8 – Utilize incentives to encourage infill and redevelopment within Town limits that particularly demonstrates its ability to create economic vibrancy, reinforce Silverthorne's identity, and promote sustainability.

Policy LU 2 TC.1 - In the Town Core District, prioritize development that promotes pedestrian activity and provides a critical mass of diversified land uses, including a variety of retail shops, offices, hotels, entertainment, restaurants and outdoor cafes, transportation hubs, and other compatible uses that are harmonious with a walkable, urban-style, downtown experience.

Policy LU 2 TC.2 - Support building heights, form, and character conducive to a downtown environment. These architectural characteristics would generally include 2-4 story building heights, minimal or no building setbacks, enduring materials and attractive building facades.

Policy LU 2 TC.3 - Create a safe and appealing pedestrian environment throughout the Town Core District by providing short blocks, sidewalks, street trees, street lighting, seating, curb and gutter, on-street parking, informative signage, and traffic calming measures to slow vehicular speeds on HWY 9.

Policy LU 2 TC.4 - Promote outdoor places for people to gather, including green spaces, outdoor plazas, pedestrian streets, children's play areas, and outdoor seating to infuse energy and activity throughout the Town Core.

Policy LU 2 TC.6 - Encourage parking solutions that support commercial development in a downtown environment, such as consolidated parking reservoirs (lots or garages) and on-street parking throughout. The development of alleys for service needs and access should be considered. Town parking codes and fees should be carefully reviewed to facilitate redevelopment in the Core.

Policy LU 2 TC.10 - Emphasize overall pedestrian connectivity and experience throughout the Town Core, through the integration of sidewalks, connections, and design elements such as seating, landscaping, and lighting.

Policy CD 2.1 - Establish a compact, urban form within the Town Core District, radiating outward from State Highway 9 and 4th Street as its center. Design elements include:

- *Zero to minimal setbacks between the sidewalk and storefronts for the creation of an enclosed street.*
- *Buildings that are scaled to support enclosure of the street as civic space. Promote building design that is unique in character, addresses the street with a full ground-level first story, and provides upper levels that firmly confine the outdoor space.*
- *Encourage narrow building facades that create a repetition of vertical form, and that set up a pleasing rhythm as part of the streetscape, with a distinct bottom, middle and top, and architectural detail and ornament that relate to human scale.*
- *Emphasize on-street parking, to the greatest extent feasible, and shared parking areas behind buildings, to support commercial redevelopment.*
- *Support designs that contribute to the public experience by providing attractive signs, awnings, arcades and sidewalks.*
- *Installation of public streetscape elements such as sidewalks, trees, and street furnishings to enhance the pedestrian experience.*

Policy CD.2.2 - Promote gathering and entertainment areas within Silverthorne's downtown, through landscape design, signage, ample outdoor seating and pedestrian linkages.

Policy CD.3.3 - Building mass, form, length, and proportions shall be designed to provide variety of visual interest, maintaining a human scale that is appropriate to surroundings.

Policy T 2.5 - Provide sidewalks adjacent to all street edges within the commercial districts. Separate sidewalks from the street by a landscape median where it is feasible.

Policy T 2.8 - Improve the public streetscape with curb, gutter, sidewalk, and landscaping to promote sidewalk activity, where it is feasible.

Staff finds that the proposed development is consistent with several policies of the Silverthorne Comprehensive Plan. The proposed brewery will enhance the Town Core

District by providing a restaurant use that is conducive to pedestrian activity, provides an outdoor seating area, and serves to enclose the street with two stories. The proposed building is compact in form, and its architecture provides appealing facade and roof elements, and architectural features scaled to the pedestrian. In addition, the building is proposed adjacent to the street with parking in the rear, and with a sidewalk and on-street parking on Adams Avenue. Lastly, in order to minimize impacts on the residential areas in the rear, the applicant is proposing a fence that will buffer the residential areas from light, noise, and traffic impacts.

Chapter 4 of the Town Code: The second criterion for review of a Final Site Plan is consistency with Chapter 4 of the Town Code, particularly Article IV, Zoning Regulations; and Article VI, Site Plan.

Land Use – Lots 3 and 4, Block H, Silverthorne Colorado Subdivision are zoned Commercial C-1. The uses ‘*Restaurant*’ and ‘*Bar, lounge, nightclub*’ are uses by right in C-1. The use ‘*Multi-family dwelling unit*’, which includes apartments in mixed-use buildings, is listed as a conditional use in C-1. A Conditional Use Permit has been submitted, and its review is part of this Staff Report.

Zoning Standards – Staff finds that the application meets the C-1 Light Commercial Zone District requirements for lot frontage, lot area, and lot coverage. The maximum building height in the Town Core District is 45 feet for pitched roofs. Staff has determined that the average existing grade is USGS 8,748. The highest ridge elevation is USGS 8,771, making the proposed height for the building 23 feet and 24 feet for the silo.

In terms of setbacks, the C-1 Zone District standards dictate a setback of 10 feet in the front, 10 feet in the rear, and 0 feet on the side. The rear and side setbacks are being met with the proposal. The front setback, however, is in conflict with Standard 3.1.2 of the Town Core District Design Standards and Guidelines, which requires buildings to be located within 5 feet of the front property line. Staff finds, in this case, that the requirements of Standard 3.1.2 apply for the Town Core District.

Vehicular Access and Circulation – The project takes access from Adams Avenue, with a driveway immediately adjacent to the south property line, measuring 16-feet in width. The driveway is proposed in that location to create the possibility for a future shared access with Twin Season Vacations, located at 401 Adams Avenue. Although providing space for 2-way circulation would require a width of 24 feet, the driveway provides adequate space for vehicles to enter and exit the site in a forward-flow movement. The Code requires that entry and exit lanes be a minimum of 12 feet wide, but the Code does not prohibit the driveway lanes from being shared.

Section 4-6-10(e).4.m dictates that driveways and parking be areas be no closer than 10 feet from a property line. Regarding ingress and egress, the Public Works Department may recommend a reduction in the standard if it finds that the requirement is not justified by the characteristics of the proposed ingress and egress. The Public Works has reviewed the proposed driveway, and is in support of its proposed location (Please see Exhibit E for details).

Pedestrian Access and Circulation - For pedestrian access, the applicant is proposing a pedestrian walkway from the rear parking area to the rear entries of the building, and the stairs to the upstairs apartment. In addition, the applicant is proposing a 6-foot concrete sidewalk immediately in front of the building in the Adams Avenue Right-of-Way. The template for the exact location of sidewalks and on-street parking on Adams Avenue will be adopted as part of the 2015 Transportation Master Plan update. As a condition of approval, the applicant will be required to contribute the proportionate share of the cost of constructing the sidewalk and on-street parking directly in front of the subject property prior to the issuance of a Certificate of Occupancy.

Parking – The proposed building is comprised of restaurant, retail, and light manufacturing space on the ground floor, and a 1 bedroom apartment and storage on the second floor. Due to its location in the Town Core District, the project qualifies for voluntary reductions in parking, as well as the provision of on-street parking on a 1:1 ratio for non-residential uses. The following table provides Staff’s calculations on the amount of parking required, and the reductions permitted by Section 4-6-10.f.5.

Use	Minimum Parking Required	Available Reductions
1 bedroom apartment	1.5	None
415 s.f. of Retail	1	25% Reduction for TC – 4 15% Bus Stop – 2 Bicycle parking – 1
1,350 s.f. Restaurant	13.5	
800 sf. Manufacturing	2	
Subtotal	18	7
TOTAL REQUIRED	11	

In addition, one van-accessible parking space, measuring 16 feet in width is required. The plans show 8 spaces in the rear parking area, 1 oversized handicap parking space, 3 parallel parking spaces in the Adams Avenue Right-of-Way, and 7 bicycle stalls. All required parking meets the Code requirements for size of 90° parking (9’x18’), and size of parallel parking (8’x25’). The applicant is proposing 6 ‘compact’ parking spaces, sized 9’x16’. The 6 ‘compact’ parking spaces are not included in the required parking counts for the project because they do not meet the minimum size for parking stalls required by Section 4-6-10(e).2.

To meet the conditions of approval of the Preliminary Site Plan, the rear parking area was redesigned to meet the minimum 10-foot setback for parking facilities required by Section 4-6-10(e).4.m. In addition, the applicant has minimized the amount of parking for non-residential uses by proposing on-street parking and utilizing parking reductions, as required by Standard 3.4.3 of the Town Core District Design Standards and Guidelines. Staff finds that the parking requirements are being met with the application.

Screening – Parking facilities adjacent to residential structures are required to have screening sufficient to prevent unreasonable disturbance to the occupants of the residences. Per Section 4.6.10.e.4.n, where parking abuts directly upon a residential lot, a screen at least 4 feet in height shall be erected. Screens may be solid walls, fencing, or landscaping. The applicant has indicated that a new 6-foot tall cedar fence will be installed

along the property line shared with the residential lots in the rear, meeting the standard.

Snow Storage – A minimum of 25% of the total paved area must be provided for snow storage. Sheet SP1.1 indicates that there are 6,731 square feet of paved areas, requiring 1,682 square feet of snow storage. The applicant is proposing 1,701 square feet of snow storage in locations that facilitate the snow stacking process, meeting the requirement.

Landscaping – For a site with an area of 14,000 square feet in the C-1 zone district, 9 trees (50% evergreen, 50% deciduous) and 14 shrubs are required. The Landscape Plan (Sheet SP1.1) shows 10 trees and 17 shrubs meeting all the size requirements. Landscaping is located along the front and sides of the building, in planters within the beer garden, and shrubs are proposed adjacent to the fence and rear property line.

In order to address the conditions of approval of the Preliminary Site Plan, the applicant removed all trees within the rear utility easement, and provided landscaping appropriate of a downtown setting, particularly landscape planters, as noted in Standard 3.5.1 of the Town Core District Design Standards and Guidelines. Staff finds that the landscaping requirements are being met with the application.

Dumpster Enclosure – The dumpster enclosure is located in the rear of the site, and is proposed as a 4-sided structure with a roof, meeting Town Code Requirements. Details of the structure are shown on Sheet A2.1 and A2.2. A letter has also been submitted by Waste Management supporting the location of the dumpster enclosure (Please see Exhibit H for details).

Lighting – The applicant has submitted lighting cut sheets with the review materials, attached as Exhibit D. The building elevations, shown on Sheets A2.1 and A2.2, indicate that 7 fully shielded fixtures, 2 decorative fixtures above the signs, and 3 floodlights for security lighting are proposed. Town Code requires that fully shielded fixtures be utilized that are aimed straight down. In order to meet Section 4.6.13.e.3, the floodlights shall be fixtures of 100 watts or less, and must always be aimed straight down.

Utilities – There is an existing water main underneath Adams Avenue, and an existing sewer main in the alley behind the property, in a sewer line utility easement. A gas line is also located within the rear utility easement, as noted on Sheet U-1. The Utilities Department did not have any comments on the Utilities Plan (See Exhibit F).

Drainage – Sheet DR-2 provides a Drainage Plan, which proposes to detain storm-water drainage in a detention basin located north of the building. The Town Engineer has reviewed the Drainage Plan and Report, as well as the Erosion Control Plan, and has noted that the proposed design and recommendations are acceptable. Please see Exhibit E for details on the Town Engineer's comments.

Signage – Signage is shown on the building elevations. The building is located in the Commercial Sign District, which allows a freestanding sign of no more than 32 square feet, and wall signs with an area equal to 2.5 the linear front footage of the building. All final sign designs will be evaluated as part of the sign permitting process.

Town Core District Design Standards and Guidelines: The third criterion for Final Site Plans is consistency with the district design standards. Design within the Town Core District should contribute to the creation of a compact and walkable environment.

Building Orientation and Location on Site

Standard 3.1.1 states, *“Buildings within the Town Core District shall be oriented toward public rights-of-way and the Blue River Trail.”* The building is oriented with its main entrance facing Adams Avenue, meeting this standard.

Standard 3.1.2 states, *“For properties adjacent to HWY 9, 4th Street, and Adams Avenue, at least 60% of the frontage length of the property must consist of a building located within 5 feet of the property line adjacent to the street.”* The frontage length of the property is 100 feet long, requiring that a minimum of 60 feet consist of a building within 5 feet of the front property line. In order to meet this standard, the applicant has revised the building location such that the entire building, beer garden, and silo are located a maximum of 5 feet from the property line for a length of 60 feet, meeting this standard. Because a portion of the stairway extends into the right-of-way, a License Agreement will be reviewed by Town Council in concurrence with the review of the Final Site Plan.

Standard 3.1.3 states, *“Buildings shall have a clearly defined pedestrian entrance along the street-facing façade. Main entrances shall be located at the street level. ‘Split level’ entrances are prohibited.”* The building has a clearly defined pedestrian entrance along Adams Avenue, with a projecting metal design element, a canopy, and signage. In order to meet Condition #10 of the Preliminary Site Plan, the applicant revised the entrance, such that it is only 1.5 feet from the grade of the street, and accessed via a short stairway. Staff finds that the entrance, as proposed, does not qualify as a ‘split-level’ entrance, and its design meets the intent of this standard.

Pedestrian Access and Circulation

Standard 3.2.2 states, *“Where a public sidewalk is deemed necessary by the Town, it shall be installed in the public right-of-way as part of the proposed development.”* The applicant is proposing to install a sidewalk in the right-of-way to address this standard. As noted previously, in accordance with the template and timing for construction of sidewalks and on-street parking on Adams Avenue, the applicant will be required to contribute the proportionate share of the cost of constructing the sidewalk and on-street parking prior to the issuance of a Certificate of Occupancy.

Standard 3.2.3 states, *“Continuous internal pedestrian walkways within a development site, not less than 6 feet in width, shall be provided from the principal building entrance to adjacent sidewalks, trails, and public right-of-ways.”* Staff finds that this standard is met.

Vehicular and Service Area Access and Circulation

Standard 3.3.1 states, *“Vehicle circulation onsite shall be clearly organized to facilitate movement into, and throughout, parking areas. Parking drive lanes and intersections shall align wherever practical.”* Staff finds that the revised parking area and layout facilitate vehicular movement throughout the site, meeting this standard.

Standard 3.3.2 states, “*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, including the Blue River Trail. Where possible, adjacent parcels or buildings should share service and delivery areas, and/or access to such areas.*” Service and delivery areas are located behind the building, accessed from rear entries. The dumpster enclosure is also located in the rear of the site, in a location that may facilitate the sharing of such dumpster with the adjacent property to the south.

Parking

Standard 3.4.1 states, “*Parking areas within the Town Core District shall provide safe, convenient, and efficient access, and shall be located so as to minimize negative visual and noise impacts to adjacent properties and the public rights-of-way.*” By placing the parking area in the rear and installing a fence along the property line shared with the residential area, the applicant is minimizing the negative visual and noise impacts of parking areas. This standard is met.

Standard 3.4.2 states, “*For properties with frontage along HWY 9, Adams Avenue, and 4th Street, on-site parking shall be located at the rear of the property or behind a building.*” The parking area is located behind the building, meeting this standard.

Standard 3.4.3 states, “*On-site surface parking for nonresidential uses shall be minimized by participating in the Town Core Parking District, incorporating or constructing on-street parking, and/or utilizing shared parking and parking reductions.*” As part of the parking for the project, the applicant is proposing on-street parking and bicycle parking facilities, addressing this standard.

Landscape

Standard 3.5.1 states, “*Development within the commercial areas located West of HWY 9 must provide landscaping that is appropriate for a downtown setting. To that effect, alternative forms of landscaping, including street furniture, planter boxes, hardscape patios, and art forms must be prioritized.*” The applicant has revised the Landscape Plan to incorporate landscape planters within the beer garden, which qualifies as an alternative form of landscaping appropriate for a downtown setting. This standard is met.

Standard 3.5.3 states, “*Landscaping shall complement buildings, accent building entries, and serve as a decorative element. Landscaping shall not impede the visibility of store fronts, or interfere with the line of sight of vehicle drivers entering or leaving the site.*” A portion of the landscaping is proposed along the front, and functions as a decorative element that complements the building. The remaining landscaping in the rear functions as a decorative element between the parking area and the proposed fence.

Standard 3.5.4 states, “*Significant landscape materials, such as trees, shall be located outside utility easements. Planting of trees over utility lines is prohibited.*” As noted previously, the Landscape Plan has been revised such that only shrubs are proposed within the rear utility easement, meeting this standard.

Screening

Standard 3.7.1.a states *"All utility, telecommunications, ground mounted, and roof top mechanical equipment shall be shown on the final site plan for the proposed development project"*. The applicant has indicated that there are no roof top and mechanical equipment units on the building at this time. Any utility, telecommunications, ground mounted, and roof top mechanical equipment shall be required to be screened per the standards of the Town Core Design District Standards and Guidelines.

Standard 3.7.2.b states *"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."* The proposed dumpster enclosure, shown on Sheets A2.1 and A2.2, is proposed to have metal and wood siding, and concrete block for the base. This standard is met.

Building Form, Mass and Height

Standard 4.1.3 states, *"Reduce the bulk of a building to be on a pedestrian scale. The design shall emphasize a "base", "middle", and "top"*.

- a. *A distinctive "base" at the ground level shall use articulation and materials such as: Timber, wood, stone, masonry, decorative concrete, or other similar materials. In addition, "base" elements may include windows, architectural details, canopies, bays, or overhangs.*
- b. *The "middle" of the building shall be made distinct by 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 step-back, or creative roofline.*

The building is proposed with a distinctive base, middle, and top. Concrete block is proposed for the base, attractively anchoring the building. Windows and canopies accent the middle, and pitched roof elements with colored fascia emphasize the top with a creative roofline. Staff finds that this standard is met.

Standard 4.1.4 states, *"The mass of the pedestrian portion of a commercial or mixed use building shall be broken down to a human scale with a strongly marked primary entry at the "base", and distinct architectural features at the street level."* The building design includes a strongly marked primary entrance that projects from the main building wall, is enhanced with metal siding, and is capped with a sloped roofline. Staff finds that this standard is met.

Building Façades and Architectural Elements

Standard 4.2.1 states, *"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; and*
- c. *Emphasize building entries through projecting or recessed forms.*

Staff finds that the building design incorporates all of the elements required by this standard. There is significant articulation in the wall planes and roof lines, a well-defined main entrance, and windows in a pattern that relates to the interior function.

Standard 4.2.2 states, *“Provide human scale through change in plane, contrast, and intricacy in form. Avoid large areas of undifferentiated or blank building facades.”* The building is designed with a variety of building materials, sloped rooflines, a beer garden area, attractive canopies, and a grain silo. All of these elements provide contrast and intricacy of form, meeting this standard.

Standard 4.2.6 states, *“Primary building façades shall contribute to the overall character of the Town Core by creating a pattern along the street through the repetition of similarly-sized building elements. Building facades shall have a repeating pattern that includes no less than three instances of either: color change, texture change, material change, or expression of a structural, architectural feature.”* Staff finds that this standard is met.

Standard 4.2.8 states, *“Buildings along HWY 9, Adams Avenue, and 4th Street shall have a minimum of two stories to provide critical mass and firmly confine the outdoor space. Ground floors in these areas shall have a minimum ceiling height of 10 feet.”* The proposed building has two stories and a ground floor ceiling height of 10 feet, meeting the standard.

Standard 4.2.9 states, *“Applicants are required to submit a three dimensional representation of a proposed development project within the Town Core District. Such representation may be an accurate three-dimensional model or a three dimensional computer simulation depicting the proposed development.”* A 3D computer simulation is included in the packet, and will be shown on at the public meeting.

Building Materials and Finishes

Standard 4.3.3 states, *“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 materials. Class II materials may be used as accents and trim not to exceed 25% of the total building façade. Class III materials are prohibited in the Town Core 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.*

The proposed building materials include integrally colored split face block and corrugated metal siding (Class II materials) totaling less than 25% of building facades. All other materials are Class I materials, including wood siding and cement stucco, meeting the standard.

Standard 4.3.4 states, *“For commercial and mixed-use buildings, at least 50 percent of the first floor of the primary façade facing a street shall be transparent glass to differentiate the pedestrian area from the remainder of the building, and to create an inviting pedestrian environment. Upper floor window elements may be less prominent”*. The primary façade has 3 windows and a door with transparent glass, with a length of 24 feet or 60% of the length of primary façade facing Adams Avenue. This standard is met.

Building Colors

Standard 4.4.2 states, *“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 4 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 Town Core 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.*

The building materials are proposed in subdued colors, including browns, beiges, and grays. The roof is proposed with a ‘cinnamon’ fascia. All of the colors proposed meet the requirements of this standard.

Building Roofs

Standard 4.5.1 states, *“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.”* The roof of the building is proposed with a single slope, which slopes from north to south. Staff finds that the roof is appropriately oriented towards the south to maximize sun exposure. A canopy is also proposed below the lower portion of the main roof to capture snow and protect the beer garden seating area. Staff finds that this standard is met.

Standard 4.5.2 states, *“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.”* Due to the compact size of the building, there are no large expanses of roof without breaks. Variety of the roof line is created with angled lines, canopies, and a projecting architectural feature to enhance the entry, meeting the standard.

Standard 4.5.5 states, *“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. As noted above, canopies are proposed below the main roof on the south side to prevent the shedding of snow onto the beer garden seating area. The roof is also designed with eaves that will prevent the shedding of snow onto the north balcony, and the west entrances. Staff finds that this standard is met.

PLANNING COMMISSION RECOMMENDATION: On June 30, 2015, by a vote of 6-0, Planning Commission voted to recommend approval of the Replat, Conditional Use Permit, and Final Site Plan for Angry James Brewery with the following conditions:

1. The Conditional Use Permit is personal to the applicant, Bender and Brinckerhoff, LLC, (dba Angry James Brewery), and is nontransferable. Should the applicant's ownership terminate, the CUP shall expire.
2. The applicant will be required to contribute the proportionate share of the cost of constructing the sidewalk and on-street parking, including curb and gutter, directly in front of the subject property prior to the issuance of a Certificate of Occupancy.
3. A License Agreement must be approved for the stairway that is proposed to be constructed in the Adams Avenue Right-of-Way.

Suggested Motion: "I move to approve the Angry James Brewery Replat, Conditional Use Permit, and Final Site Plan with the Planning Commission recommended conditions."

ALTERNATIVE MOTION: Should Town Council find that the application does not meet the Code and/or the Town Core Design District Standards and Guidelines, Staff recommends the following finding and motion:

Finding:

1. The Final Site Plan does not adequately minimize parking for the nonresidential use, as required by Standard 3.4.3 of the Town Core District Design Standards and Guidelines.

Motion: "I move to deny the Angry James Brewery Replat, Conditional Use Permit, and Final Site Plan based on a finding that the application does not adequately minimize parking for the nonresidential use, as required by Standard 3.4.3 of the Town Core District Design Standards and Guidelines".

EXHIBITS:

- Exhibit A - Project Narrative
- Exhibit B - Final Site Plan Set
- Exhibit C - Applicant responses to Referral Agency Comments, dated June 16, 2015
- Exhibit D - Light Fixture Cut Sheets
- Exhibit E - Town Engineer Comments, dated June 12, 2015
- Exhibit F - Utilities Manager Comments, dated June 8, 2015
- Exhibit G - Lake Dillon Fire District Comments, dated June 9, 2015
- Exhibit H - Letter from Waste Management, dated June 15, 2015

Angry James Brewing Company – Project Narrative

Angry James Brewing Company is an LLC owned and managed by A.J. and Darcy Brinckerhoff. The mission of our Company is to manufacture and sell delicious, handcrafted ales and lagers to consumers at our taproom and in the local community. Our brewery will be located at 421 Adams Avenue in Silverthorne, Colorado. This address is currently vacant land, zoned for commercial development with mixed use. We chose Silverthorne because of its close proximity to several ski resorts, while still being only an hour drive from the Denver Metro area. In addition, with the year after year growth in permanent residents and tourists to Silverthorne, the demand for new food and beverage places continues to increase. We see this as an opportunity for us to provide a locally made product that will help to further distinguish Silverthorne as a unique place to visit, and help draw in beer enthusiasts from everywhere. Our brewery will initially produce seven different beers varying in strength, color, and style. Some of these beers will include our German style blond ale, roasted brown ale, and our hoppy double IPA. These unique beers will be available for consumption in our taproom, carryout in growlers, or sold in kegs to local restaurants and bars. The taproom will provide a relaxed environment for patrons to enjoy their beer, with a small but hearty menu of food, and a retail shop for people to buy an Angry James T-shirt or mug.

To give you an idea of the layout, the front of our building will face Adams Avenue with parallel parking in the front, a beer garden to the south, and additional parking to the North and West (back of the building). The building will consist of various materials such as stone masonry, wood, and corrugated metal. The roof will be a single pitch roof, facing south. We are planning on using this roof design to eventually run the brewery off solar power. The interior of the building will consist of two levels. The first level will start with the tasting room when you walk in the front door, which will include a bar and seating. In the back left will be our modest kitchen followed by restrooms. Taking up most of the back will be the brewery and cold room directly behind the bar. The retail shop will be located between the restrooms and brewery. The second level will include a small apartment, storage area/office, and a break room for Angry James employees.

From a timing standpoint on this project, we have already purchased the land located at 421 Adams Avenue, and our goal is to break ground by the beginning of the summer of 2015. We anticipate construction taking the duration of the summer and we hope to have our brewing equipment moved in by the start of fall and open for business by the holiday season 2015. During the late summer and fall months we will be working on interior finishes, fine tuning all of the brewing equipment, landscaping, any additional exterior work and signage.

We hope this gives you a good idea of our project, and our goals for opening this year. We feel that a neighborhood oriented and community focused company will be a great fit within the diverse group of businesses already in Silverthorne. We also feel that it will be a great way to attract new businesses to Silverthorne and help the 'Urban Renewal Plan' come to fruition. Lastly, we realize this project has a lot complexities and challenges not only from a planning standpoint but a financial one as well. That is why we have spent the last four years researching possible locations, working on our beer recipes, and designing a business plan that outlines our approach for a successful business. We are extremely excited to get this project started and become a part of the Silverthorne community both as residents and business owners.

Cheers!

A.J. & Darcy Brinckerhoff

Angry James Brewing Company, LLC

ANGRY JAMES BREWERY
 LOT 3 & 4, BLOCK H SILVERTHORNE SUBDIVISION, 421 ADAMS AVENUE, SILVERTHORNE, COLORADO
 © 2019 bhh Partners BRECKENRIDGE, CO 80424 (970) 452-8800
 F.O. BOX 231 180 EAST ADAMS BRECKENRIDGE, CO 80424 (970) 452-8800

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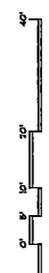
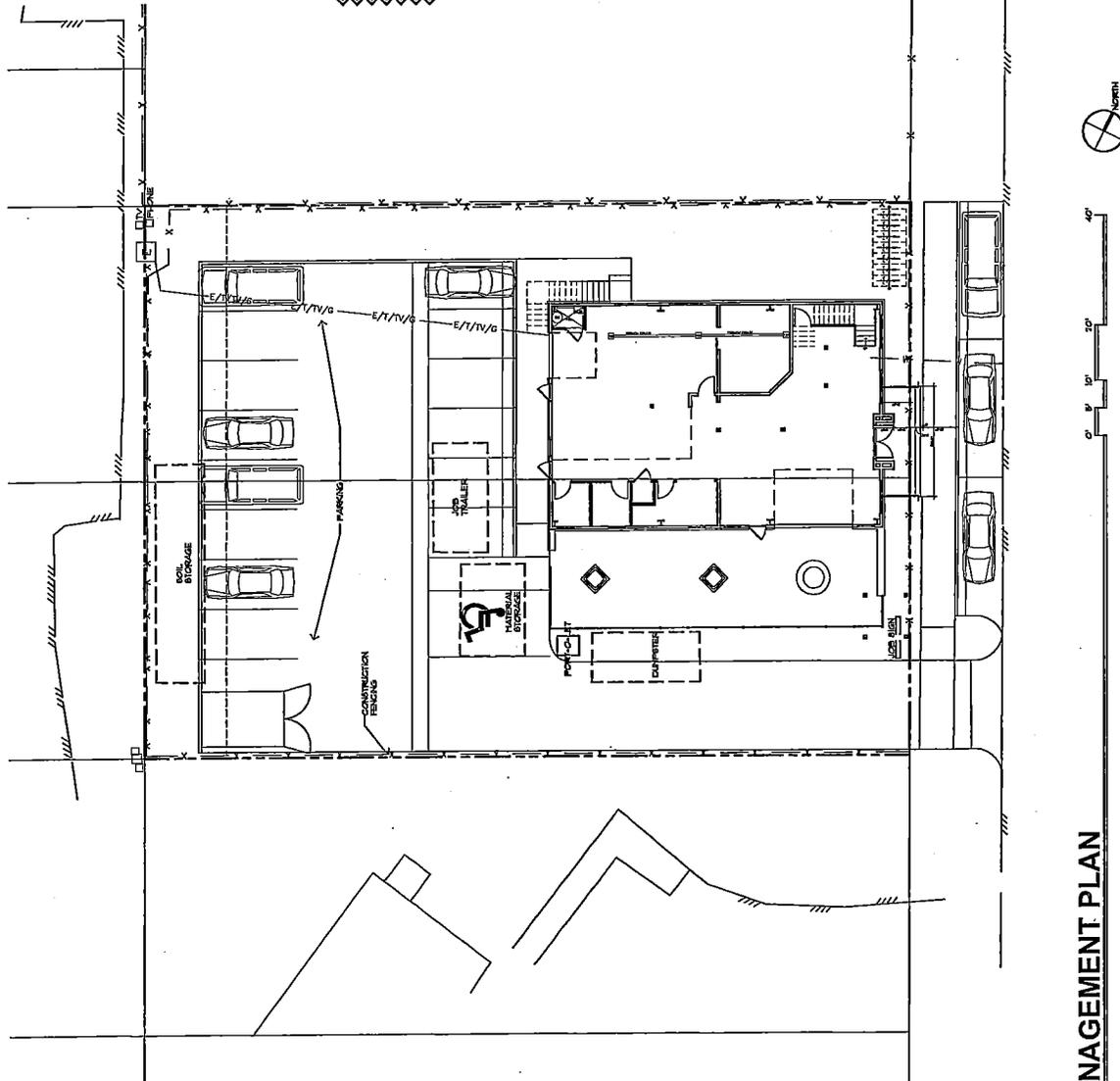
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1 01-14-19 J. Gaudreault M. Negeer

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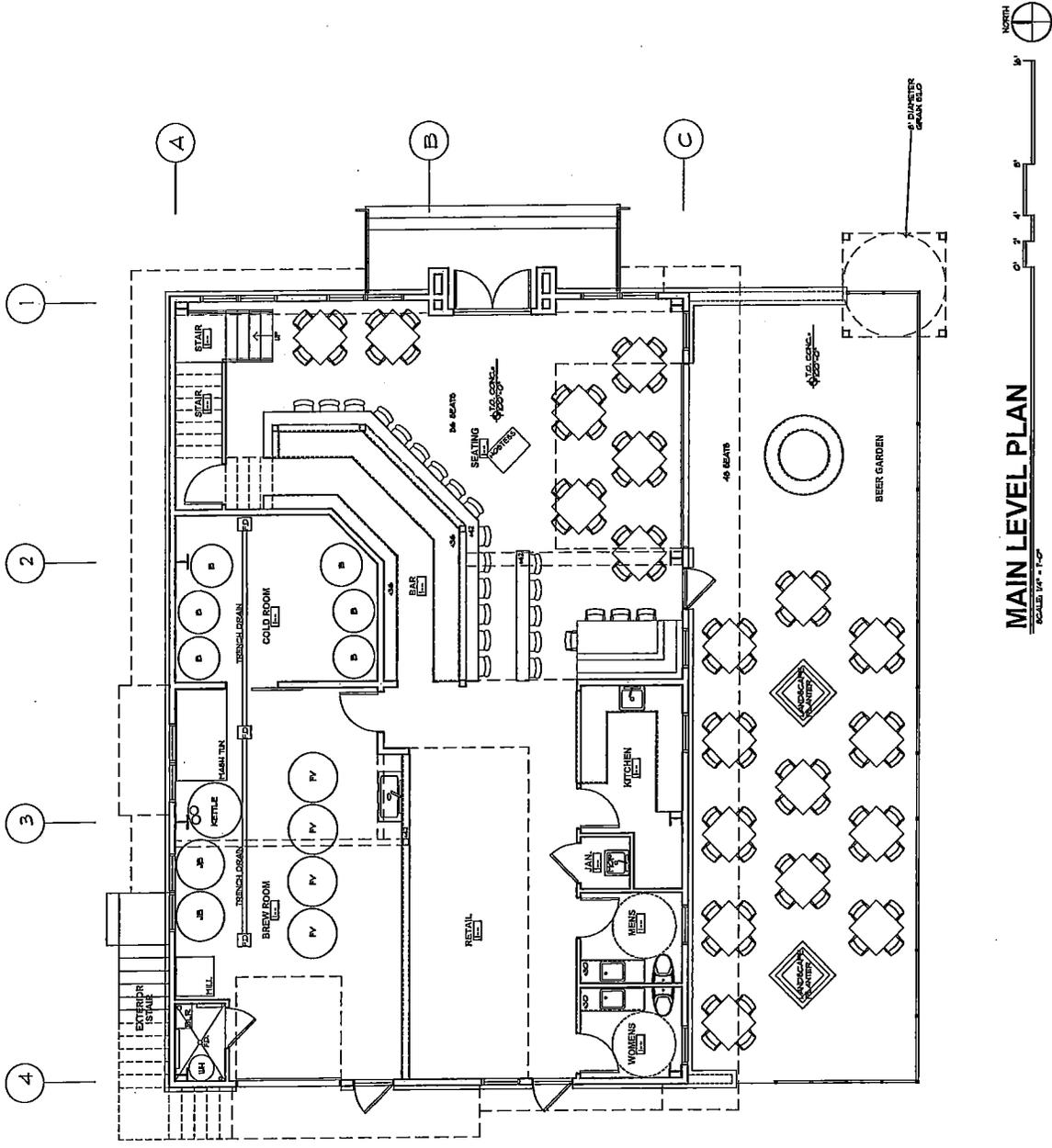


CONSTRUCTION MANAGEMENT PLAN

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ANGRY JAMES BREWERY
 LOT 3 & 4 BLOCK H SILVERTHORNE SUBDIVISION, 431 ADAMS AVENUE, SILVERTHORNE, COLORADO
 P.O. BOX 531 160 EAST ADAMS RECKENHOPE CO 80424 (303) 433-8889
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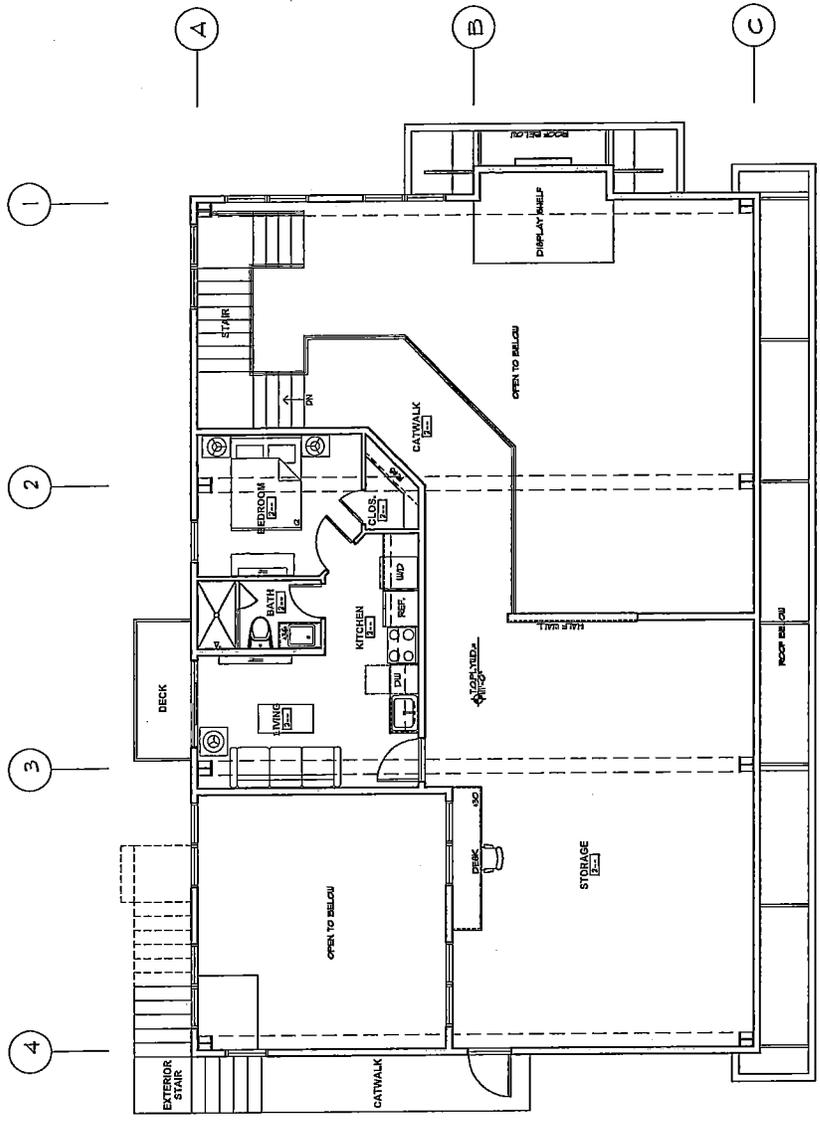
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 LOT 3 & 4, BLOCK H SILVERTHORNE SUBDIVISION, 421 ADAMS AVENUE, SILVERTHORNE, COLORADO

SHEET NUMBER
A1.2
 SF



UPPER LEVEL PLAN
 SCALE: 1/4" = 1'-0"
 NORTH

REVISIONS

NO. DATE BY

1 08/27/2018 JUDITH

2 09/11/2018 JUDITH

3 09/11/2018 JUDITH

4 09/11/2018 JUDITH

5 09/11/2018 JUDITH

6 09/11/2018 JUDITH

7 09/11/2018 JUDITH

8 09/11/2018 JUDITH

9 09/11/2018 JUDITH

10 09/11/2018 JUDITH

DESIGNED BY: JUDITH BROWN

PROJECT NO.: 1801

PROJECT NAME: ANGRY JAMES BREWERY

CLIENT: ANGRY JAMES BREWERY

ADDRESS: 471 ADAMS AVENUE SILVERTHORNE, CO. 80443

DATE: 08/27/2018

SCALE: 1/4" = 1'-0"

PROJECT NO.: 1801

PROJECT NAME: ANGRY JAMES BREWERY

CLIENT: ANGRY JAMES BREWERY

ADDRESS: 471 ADAMS AVENUE SILVERTHORNE, CO. 80443

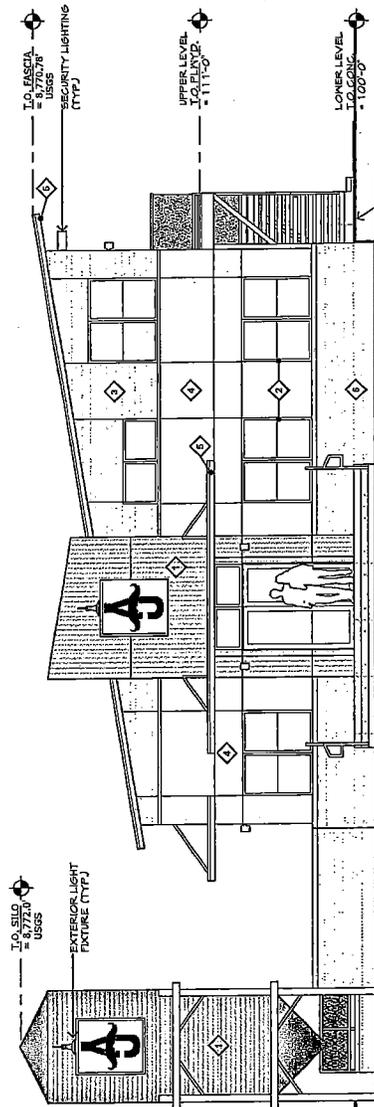
DATE: 08/27/2018

SCALE: 1/4" = 1'-0"

A2.1

BUILDING ELEVATIONS

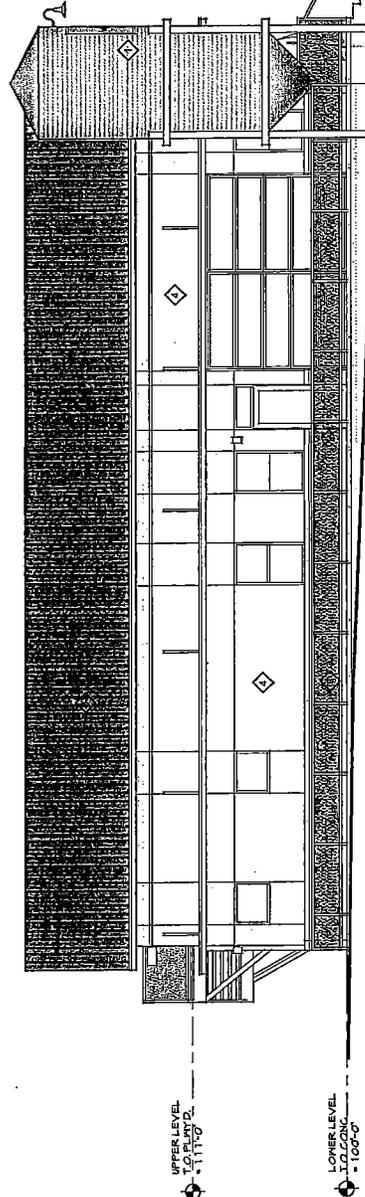
SP. 2



EAST ELEVATION

SCALE: 1/4" = 1'-0"

SYMBOL	DESCRIPTION
1	METAL GALE CORRUGATED ZINC GREY
2	WINDSHIELD
3	WINDOW CLADDING
4	BARNWOOD SIDING
5	TETON WEST WINDSWEEP DONOST BROWN
6	CEMENT STUCCO VENEER
7	FASCIA & TIMBERS
8	CONCRETE BLOCK
9	METAL GALE CORRUGATED ZINC GREY
10	WINDSHIELD
11	WINDOW CLADDING
12	BARNWOOD SIDING
13	TETON WEST WINDSWEEP DONOST BROWN
14	CEMENT STUCCO VENEER
15	FASCIA & TIMBERS
16	CONCRETE BLOCK
17	METAL GALE CORRUGATED ZINC GREY
18	WINDSHIELD
19	WINDOW CLADDING
20	BARNWOOD SIDING
21	TETON WEST WINDSWEEP DONOST BROWN
22	CEMENT STUCCO VENEER
23	FASCIA & TIMBERS
24	CONCRETE BLOCK



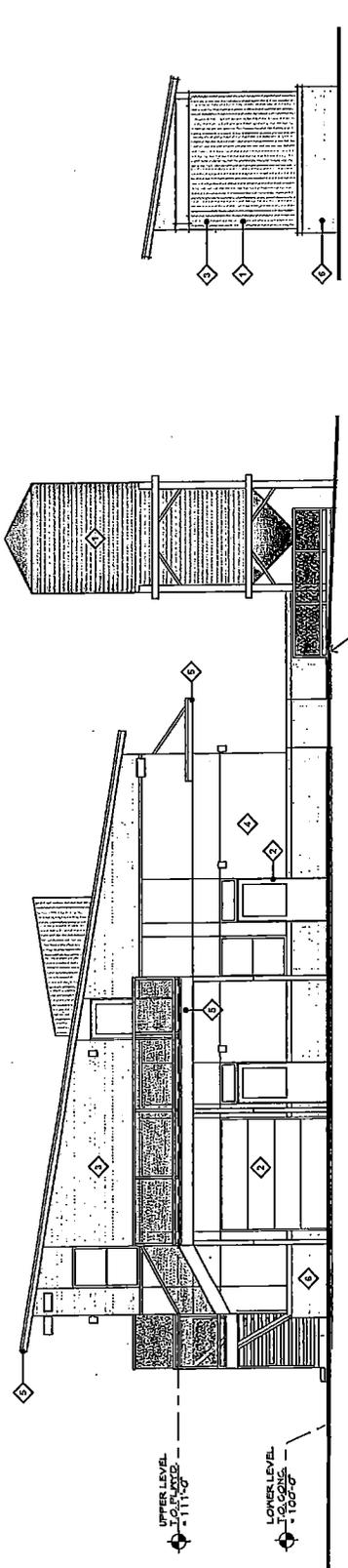
SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

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 1 11/11/11 JMB/MS
 2 11/11/11 JMB/MS
 3 11/11/11 JMB/MS
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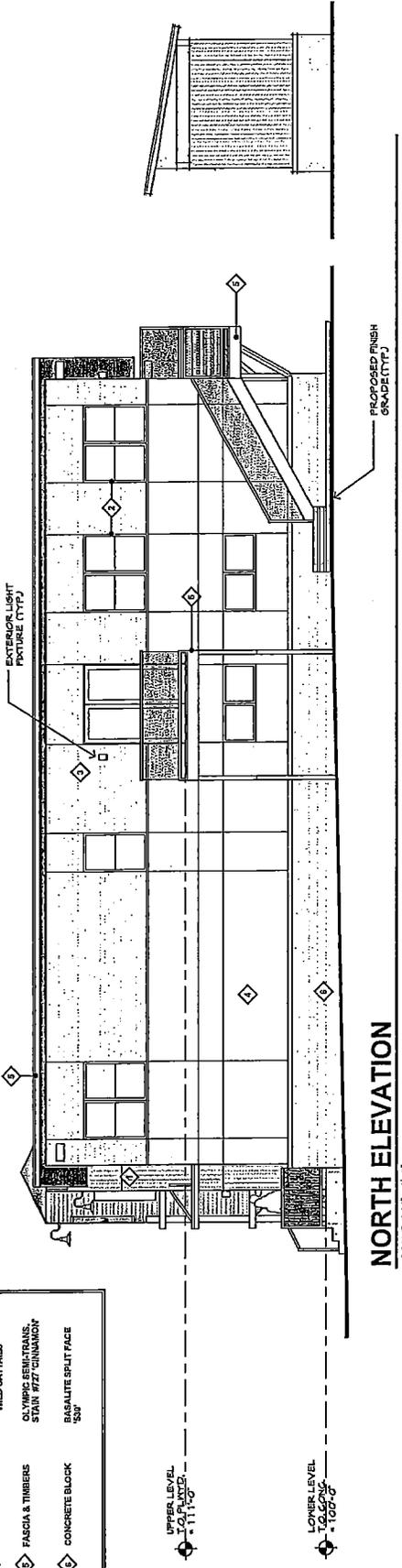
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 P.O. BOX 831 180 EAST ADAMS BRICKENRIDGE, CO 80421 (303) 432-9880
ANGRY JAMES BREWERY
 LOT 3 & 4, BLOCK H SILVERTHORNE SUBDIVISION, 421 ADAMS AVENUE SILVERTHORNE, COLORADO
 SAVED FOR: T.O. F. WALL & PARTS

A2.2
 BUILDING
 ELEVATIONS
 SP. 2



WEST ELEVATION
SCALE: 1/4" = 1'-0"

COLOR LEGEND	
◇	METAL ROOFING/SIDING
◇	METAL SALES CORRUGATED ZINC GREY
◇	WINDOW CLADDING
◇	JELD WEN SIDING
◇	TETON WEST WINDSWIFT COMBOY BROWN
◇	BARWOOD SIDING
◇	CEMENT STUCCO VENEER
◇	STD FINISH SYSTEMS WILD CENTALS
◇	FASCIA & TIMBERS
◇	OLYMPIC SEMI-TRANS. STAIN #727 CINNAMON
◇	CONCRETE BLOCK
◇	BASALITE SPLIT FACE 800



NORTH ELEVATION
SCALE: 1/4" = 1'-0"



June 16, 2015

Lina Lesmes
The Town of Silverthorne

via email: llesmes@silverthorne.org

We are transmitting to you in response to your project review checklist the following:

1. **REVISED PLAT** – We have attached the revised plat that addresses your six bullet items identified on your June 12, 2015 report.
2. **FINAL SITE PLAN COMMENTS:**
 - A. **MAIN LEVEL PLAN VESTIBULE:** I have attached the interpretation from the IECC 2012 code confirming that spaces less than 3,000 s.f. do not require vestibules.
 - B. **HANDRAIL:** The handrail return will be submitted to the building department for review and approval. See attached code requirement explanation from Gary Pringey.
 - C. **LICENSE AGREEMENT:** This is being worked out between the Owners. Copy of the revocable license agreement is attached.
 - D. **BUILDING ELEVATIONS:** These have been updated. See the plans.
 - E. **PARKING:** We have added a bicycle space and have revised the drawings accordingly.
 - F. **PUBLIC IMPROVEMENTS:** A.J. and Darcy will identify the public improvements. They will discuss the scheduling for the improvements on Adams Avenue.
 - G. **LANDSCAPING:** We added a spruce tree and labeled the planters. See the attached revised drawing. The planting count has also been updated.
 - H. **DUMPSTER ENCLOSURE:** We have provided a letter from Waste Management identifying the dumpster enclosure is o.k. The dumpster details are shown on the plans.
 - I. **SCREENING:** We have added a note to the site plans that there are no roof top or ground mounted mechanical units. We are currently working with the mechanical engineer on the project and if any mechanical equipment is needed we will revise the drawings accordingly. All equipment will be screened and painted to match the adjacent surfaces.
3. **FIRE PROTECTION DISTRICT COMMENTS:**
 - A. We will provide for the fire lane as requested by Lake Dillon. Signage will also be provided per their requirements as outlined in their June 9, 2015 letter.

10 copies of the plans are provided including the plat and the utility plan (3 24x36 copies and 7 12x18 copies). Color shots of the model are also attached to each copy. We will also provide a digital copy of all of this information.

In addition, we have incorporated the comments from Steven Skulski related to the fire lane.

Thanks for your help with our project.

Regards,

Marc P. Hogan, A.I.A.

2009 and 2012 IECC, ASHRAE 90.1-2007 and 2010

Vestibule Requirements in Commercial Buildings (Continued)

3. Doors opening directly from a sleeping unit or dwelling unit.
4. Doors that open directly from a space less than 3,000 ft² in area.
5. Revolving doors.
6. Doors used primarily to facilitate vehicular movement or material handling and adjacent personnel doors.

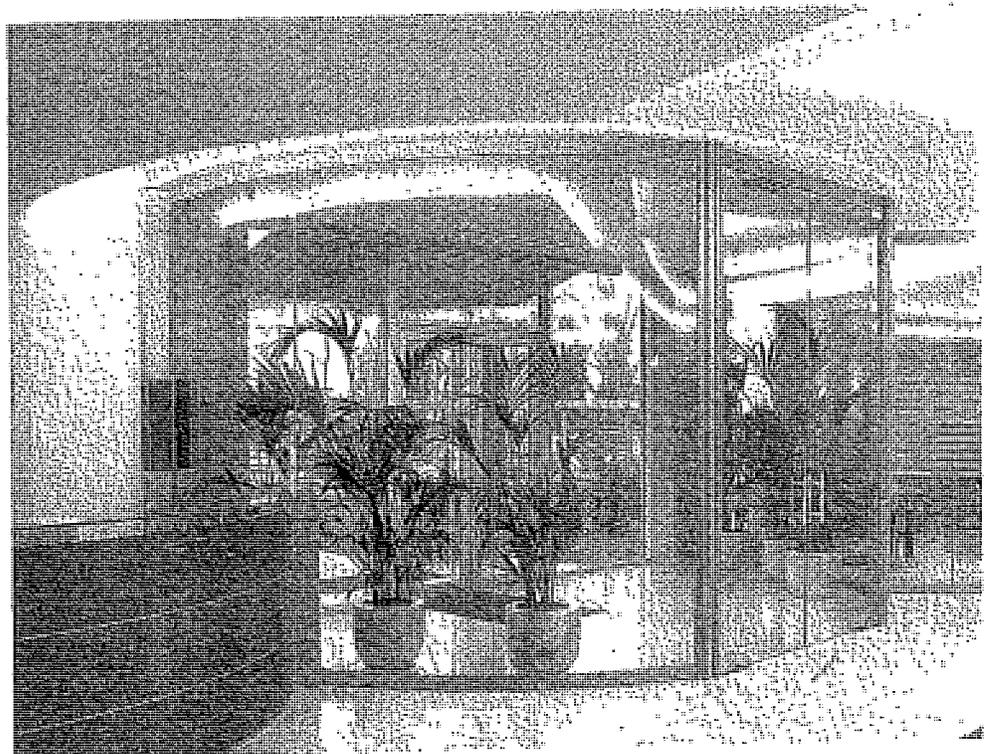
IECC 2012, Section C402.4.7 Vestibules

All building entrances shall be protected with an enclosed vestibule, with all doors opening into and out of the vestibule equipped with self-closing devices. Vestibules shall be designed so that in passing through the vestibule it is not necessary for the interior and exterior doors to open at the same time. The installation of one or more revolving

doors in the building entrance shall not eliminate the requirement that a vestibule be provided on any doors adjacent to revolving doors.

Exceptions:

1. Buildings in Climate Zones 1 and 2.
2. Doors not intended to be used by the public, such as doors to mechanical or electrical equipment rooms, or intended solely for employee use.
3. Doors opening directly from a sleeping unit or dwelling unit.
- 4. Doors that open directly from a space less than 3,000 ft² (298 m²) in area.
5. Revolving doors.
6. Doors used primarily to facilitate vehicular movement or material handling and adjacent personnel doors.



Jarrett Buxkemper

From: Gary Pringey <gpringey@coloradocode.net>
Sent: Wednesday, June 10, 2015 4:36 PM
To: Jarrett Buxkemper
Subject: RE: [REDACTED]

Jarret:

The code requirement (IBC Section 1012.6) is specific in requiring the handrail extension to be in the same direction as the stair flight. Any alternate must be proposed to the building official per the provisions for Administrative Modifications per IBC Section 104.10.

Gary

Gary Pringey, CBO
Colorado Code Consulting, LLC
(v) 303.400.6564
(c) 303.591.9258
(f) 303.693.0630
gpringey@coloradocode.net

From: Jarrett Buxkemper [mailto:jbuxkemper@bhpartners.com]
Sent: Wednesday, June 10, 2015 10:12 AM
To: Gary Pringey
Subject: [REDACTED]

Hi Gary-

I have a quick question concerning the handrail extensions at the entry steps [REDACTED] for the [REDACTED]. Can the bottom extensions be at a 90 degree angle, or do they have to be straight?

thx...

Jarrett I. Buxkemper, Assoc. A.I.A.



Planners/Architects

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jbuxkemper@bhpartners.com

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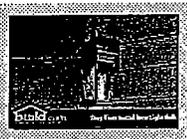
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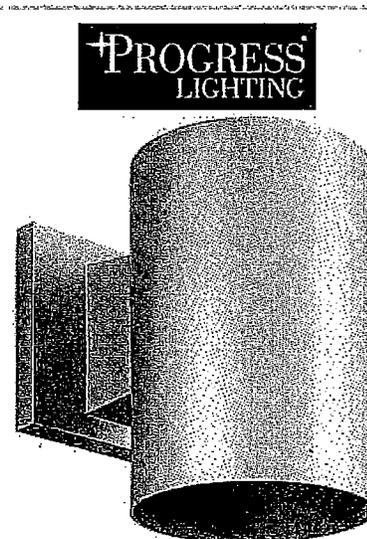
Product Details for the Progress Lighting P5674-82 in Metallic Gray

Features:

- Extruded Aluminum 1/8" wall thickness one-piece cylinder
Cast Aluminum wall bracket
Down light only. See product P5675 for Up/Down light
Interior finish matches exterior light finish

Mounting:

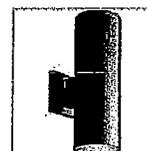
- Covers any outlet box



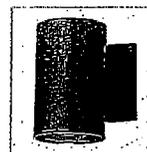
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Kichler 9234 (4) \$58.00



Progress Lighting P5641 (2) \$106.02



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Millennium Lighting Architectural Bronze R Series 1 Light Outdoor Wall Sconce with 10" Wide Angle Shade and 14.5" Gooseneck Stem

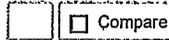
Item #: BC12256682

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Ships In: **Ships in 1 to 3 business days**

Finish: **Architectural Bronze - In Stock - \$99.80**

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Product Details for the Millennium Lighting In Architectural Bronze

Features:

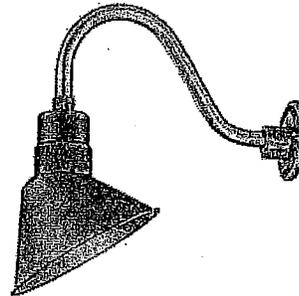
- Optional Wire Guard (RWG10) is also available
- Satin Green finish shown with optional wire guard

R Series Construction:

- Materials: Cold Rolled Steel, Die Cast Zinc
- Finishes: Architectural Bronze, Satin Black, Satin Green, Satin Red, Copper and White are electrostatically sprayed and oven baked with UV stabilized paint appropriate for indoor/outdoor use. All shades, excluding Copper and Galvanized, incorporate white liners for increased light reflectivity. Galvanized is zinc plated steel with a clear protective overcoat.
- UL: All R Series units excluding cord hung styles are UL listed for wet locations. Cord hung styles are UL listed for damp locations.
- Unique stem hung design does not require pipe sealant compound on fittings.
- 3/4" inner diameter rigid conduit or water pipe may be substituted for stems or goose necks.

Lamping Technologies:

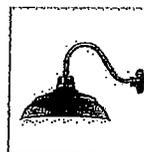
- Bulb Base - Medium (E26) - The E26 (Edison 26mm), Medium Edison Screw, is the standard bulb used in 120-Volt applications in North America. E26 is the most common bulb type and is generally interchangeable with E27 bulbs.



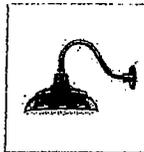
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 (1)
\$105.80

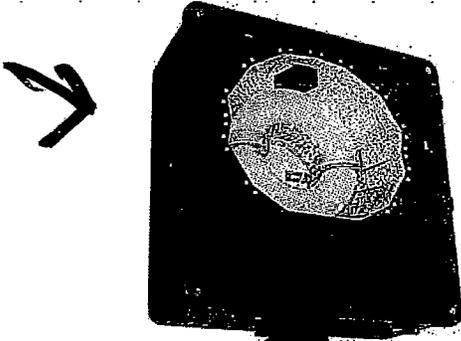


Millennium Lighting
RAS10
 (2)
\$59.90

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16" 80 Watt Shoebox Induction Flood Light with IES Type V Reflector



Quantity in Basket: none
 Code: SR-FL705180
 Price: \$414.99

Voltage:

Photocell.Option:

Mounting:

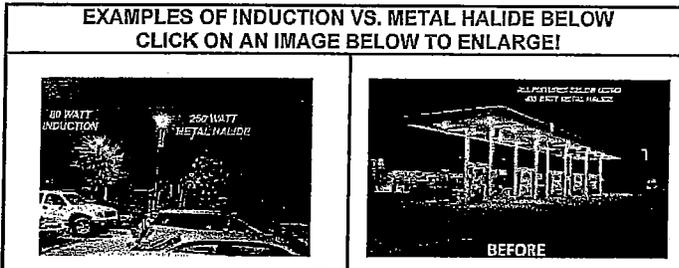
Accessory:

Quantity:

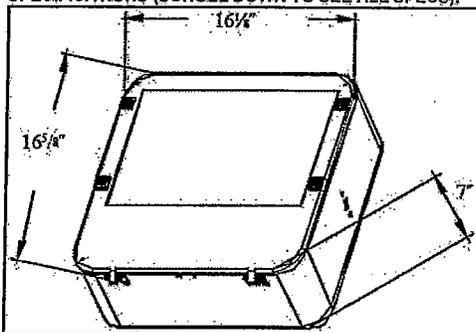
CLICK HERE TO VIEW THIS INDUCTION FLOOD ENLARGED EVEN MORE!

16" Square Shoebox 80 Watt INDUCTION Flood Light With IES Type V Reflector. This fixture puts out the same light intensity of a 175 Watt HPS or Metal Halide, and has a WHOPPING 100,000 hours rated bulb life, meaning if you ran this fixture 16 hours a day 365 days a year, you won't have to replace the bulb for about 23 YEARS!!! THATS TWICE AS LONG AS LED, AND THIS IS AS BRIGHT IF NOT BRIGHTER THAN LED PER WATT! Fixture comes as shown above, call us for custom colors!

Save 75%+ off your operating costs (including changing bulbs and energy consumption) per unit compared to HPS or Metal Halide over the same period of time! These Floods are also great for hard-to-reach locations where relamping can be a costly pain. Keep in mind the average Metal Halide bulb lasts 7,000-10,000 hours, meaning every 2 years or so you have to change the bulbs (which retail for \$25.00+ PER METAL HALIDE BULB). Go with Induction, cut your energy consumption IN HALF, and relamping down to \$ZERO! Just install this Induction fixture and forget about it for at least 20 years! SCROLL DOWN FOR EXAMPLES & COMPLETE SPECIFICATIONS!



SPECIFICATIONS (SCROLL DOWN TO SEE ALL SPECS):



ACTUAL WATTS: 80 Watts
 METAL HALIDE WATTS EQUIVALENT: 175 Watts
 HOUSING: Die Cast Aluminum Housing & Hinged Top Frame, 1/2" Coin Plugs for Conduit & Photocell, Textured Architectural Bronze Powdercoat Finish Over a Chromate Conversion Coating
 HOUSING FINISH: Comes as shown above in Bronze (Custom Finishes available, Call Us)
 REFLECTOR: Aluminum Smooth Flood Reflector
 LENS: Tempered Flat Clear Glass Lens
 PHOTOCCELL OPTION: This unit can be fitted with a factory-installed Photocell (\$35.00 additional)

EXHIBIT E

TO: Lina Lesmes – Senior Planner, Community Development Department
FROM: Dan Gietzen - Town Engineer, Public Works Department
DATE: June 12, 2015
RE: Public Works / Engineering comments on Angry James Final site plan submittal

Comments:

1. On-street parking spaces and sidewalk concept. Public Works is in agreement with the general concept of onstreet parking; this is something that we are currently working on policy and standards for. This is a work in progress presently; staff has had several discussions about this pertaining to Angry James, as it is a current application that will be affected by this evolving policy.

Conceptually, on paper, AJ's proposed offsite parking and sidewalk appear to be ok. In reality though, Public Works feels it problematic to piece meal these improvements, at random sites, as they develop. As has been discussed already, it makes the most sense – from design, construction and maintenance perspectives – to do larger, and connected chunks if and as possible. We also think that it would be best if construction of these offsites was designed and managed by the Town, rather than by the adjacent property owner(s).

Having said this, Staff has agreed that an SIA (Subdivision Improvements Agreement) is probably not the best mechanism for the Angry James project. Rather, other potential alternatives discussed among staff were 1) cash collected in advance or 2) cash collected prior to CO or 3) cash collected after the improvements have been constructed. The applicant should state the preferred method for ensuring the construction of the on-street parking, since it is required for the Site Plan and the parking.

2. License Agreement for stair encroachment. A license agreement stipulating terms and conditions associated with the stairway encroachment into the right-of-way is needed prior to Town Council review of the Site Plan. Staff can offer some assistance with this. The exhibit should be provided by the applicant.

3. Driveway Location. Section 4-6-10(e).4.m dictates that driveways and parking be areas be no closer than 10 feet from a property line. Regarding ingress and egress, the Public Works Department may recommend a reduction in the standard if it finds that the requirement is not justified by the characteristics of the proposed ingress and egress.

The proposed driveway is 16 feet wide, located 1 foot from the southern property line. The Public Works Department has reviewed the driveway location and width, and finds that the 10-foot setback may be reduced to 1 foot in order to facilitate a possible shared-driveway with the property to the south.

4. Drainage Plan and Report. Staff has reviewed the final drainage plan and drainage report and accepts its recommendations and proposed design.

EXHIBIT F



TO: Lina Lesmes, Senior Planner
FROM: Zach Margolis, Utility Manager
DATE: June 8, 2015
SUBJECT: Utility Department Comments on Angry James Brewery Final Site Plan, Minor
Subdivision, and Conditional Use Permit

General: The Town of Silverthorne has sufficient water and sewer capacities available on site and in the adjacent right of way to serve the proposed project.

Easements: The sewer easement on the west side of the site is for a sewer main. This line is about 43 years old. We are so far unable to show that this easement was recorded, but because of the age it is at least prescriptive. We asked that the plat show the exclusive sewer easement with appropriate restrictions. The Silverthorne Utility Department will pay the cost for the survey work for the easement within the property as needed to create the plat.

Tap Fees – Required EQRs: Water and Sewer tap fees are paid at the time of building permit application. For planning purposes, we have made an effort to estimate the required number of EQRs for this proposed use. This would be Silverthorne's second brewery, so we may need to revisit the EQR assignment at a later date when we have more experience with the actual water and sewer demands. Based on the applicants anticipated beer production 0.78 EQRs, both water and sewer, will be added to the EQR calculation for the business with apartment, detailed in Town Code Chapter 3.

The Utility Department asks for the following Condition of Approval:

At least ten days prior to issuance of a building permit, fire sprinkler system demand calculations and water and sewer service line construction plans, including profiles shall be provided to the Utility Department.



Ms. Lina Maria Lesmes
Town of Silverthorne
Community Development
P.O. Box 1309
Silverthorne, CO 80498

June 9, 2015



**Lake Dillon Fire
Protection
District**

401 Blue River
Parkway,
Silverthorne, CO
80498

P.O. Box 4428
Dillon, CO 80435

Telephone:
970.262.5100
Fax:970.262.5150

**Community
Services Bureau**
Telephone:
970.262.5201
Fax:970.262.5250

Inspection Line:
970.262.5215

Re: Angry James Brewery Site Plan Review.

Dear Ms. Lesmes,

Thank you for the opportunity to review and comment on the above proposal again. The letter provided by the developer addressed the issues outlined in my letter dated March 26, 2015. The fire department has only the following comment below:

1. With the new development design, a "Fire Lane" will be required along both sides of the driveway to preserve access to the rear of the building. The fire lane will start at the East property line and extend back to the 3' concrete drainage pan in the rear parking area. Approved fire lane signs will be required.

If you have any question please give me a call at my office, 970-262-5202. My work week is Tuesday through Friday. Thank you for your cooperation.

Sincerely,

Steven Skulski
Assistant Chief/Fire Marshal
Lake Dillon Fire Protection District



June 15, 2015

Dumpster enclosure

To whom it may concern,

The plans for the new dumpster enclosure, placement site and lay out for Angry James Brewery located at 421 Adams Avenue, Silverthorne Colorado 80498 meet the necessary and reasonable standards required to safely service municipal solid waste and recyclable material generated at this location.

Sincerely,

WM Waste Management
Michael L Parker
District Operation Manager
314 Third St.
Silverthorne Co. 80498
970-2662-5774 ext 20 Office
303-356-8191 cell
mparker@wm.com

Town of Silverthorne
Town Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager 
Mark Leidal, AICP, Assistant Town Manager 
FROM: Matt Gennett, AICP, Planning Manager 
DATE: July 1, 2015, for the meeting of July 8, 2015
SUBJECT: Final Plat, SIA, and Site Plan – The Cabins at Angler Mountain Ranch,
Filing No. 4 (Project No. PT2015-13)

SUMMARY: The applicant is requesting Final Plat and Final Site Plan approval for the Cabins at Angler Mountain Ranch (AMR), Filing No. 4. The subject proposal represents the final phase of the Cabins development and is to be sited on Tract C6 of the Cabins at AMR, Filing No. 3. The Final Site Plan proposes the last eight (8) cabin units and a private access easement named Hare's Ear Lane on Tract C6. The application is consistent with the AMR PUD and the Preliminary Site Plan for the Cabins at AMR.

PREVIOUS COUNCIL ACTION: PUD zoning on the AMR project was approved by Town Council on May 14, 2007. Final Subdivision approval for Filings 1 and 2 of AMR was approved in May of 2007, and Filings 3 and 4 were approved in June of 2008. An Amendment to the Angler Mountain Ranch PUD was approved by Town Council on May 13, 2009. Town Council approved the Cabins at Angler Mountain Ranch Sketch Site Plan on December 10, 2008. The Preliminary Site Plan for the Cabins at AMR was approved by Town Council on May 13, 2009. Phase I of the Cabins development received final approval on June 24, 2009 and Final Subdivision approval of the Cabins at Angler Mountain Ranch, Filing No. 2, occurred on January 12, 2011. Phase II received Final Site Plan approval on April 27, 2011. On August 14, 2013, Council approved Minor Subdivision and Final Site Plan approval for the Cabins at Angler Mountain Ranch (AMR), Filing No. 3.

BACKGROUND: The Cabins at AMR is zoned for a total of 37 cabin units and the subject application will result in the completion of the last eight units planned for the Cabins at AMR. Phase I of the Cabins at Angler Mountain Ranch was approved with seven Cabin units. Construction on Phase I began in 2009. The Cabins at AMR, Filing No. 2 was approved on April 27, 2011, and added seven Cabin units in accordance with the approved Preliminary Site Plan. The Cabins at AMR, Filing No. 3 Minor Subdivision and Final Site Plan was approved on August 14, 2013, and included fifteen new Cabin units.

DISCUSSION: Please see the attached Staff Report.

PLANNING COMMISSION RECOMMENDATION: Planning Commission, by a vote of 6-0, recommends approval of the Final Plat and Site Plan for the Cabins at AMR, Filing No. 4.

PROPOSED MOTION: *"I move to approve the Final Plat with the associated SIA, and Final Site Plan, for the Cabins at Angler Mountain Ranch, Filing No. 4."*

ATTACHMENTS:
Staff Report and Exhibits

Town of Silverthorne
Town Council Agenda Memorandum

MANAGER'S COMMENTS:

Town of Silverthorne, Colorado
Town Council Staff Report

From: Matt Gennett, AICP, Planning Manager *MG*
Thru: Mark Leidal, AICP, Assistant Town Manager *ML*
Date: July 1, 2015, for the meeting of July 8, 2015
Subject: Final Plat and Site Plan for the Cabins at Angler Mountain Ranch Filing No. 4 (PT2015-13)

Owner/Applicant: Tim Crane, Compass Homes Development

Proposal: The applicant is requesting Final Plat and Final Site Plan approval for the Cabins at Angler Mountain Ranch (AMR), Filing No. 4. The subject proposal represents the final phase of the Cabins development and is to be sited on Tract C6 of the Cabins at AMR, Filing No. 3. The Final Site Plan proposes the last eight (8) cabin units and a private access easement named Hare's Ear Lane on Tract C6. The application is consistent with the AMR PUD and the Preliminary Site Plan for the Cabins at AMR. *(Please see the attached plans for further information.)*

Legal Description: Tract C6, The Cabins at AMR, Filing No. 3

Site Area: 5.31 acres

Zone District: PUD - Angler Mountain Ranch; Planning Area 4 (PA-4)

Site Conditions: Tract C6 is currently undeveloped

Adjacent Uses: North: AMR HOA Open Space
South: Cabins at AMR, Filing No. 3 – Second Amendment
East: AMR, Filing No. 3 – Second Amendment
West: Cabins at AMR, Filing No. 1

Height: Allowed: Maximum building height of 32'
Proposed: Less than 32' (varies per building)

Lot Coverage: Required: Maximum of 30% (69,420 sq. ft.)
Proposed: 10% (23,104 sq. ft.)

Parking: Required: Two off-street parking spaces/unit
Proposed: Two enclosed and one off-street parking spaces/unit

Snowstack: Required: 25% of paved surface
Proposed: 37% of paved surface

Town of Silverthorne, Colorado
Town Council Staff Report

Setbacks: Required: Cabins (PA-4): 10' front setback from Public ROW and private road easement or 20' front-loaded garage setbacks, 15' side, and 25' rear setback with a minimum of 15' separation between buildings.
Proposed: Meets all setback requirements of the PUD

PREVIOUS COUNCIL ACTION: PUD zoning on the AMR project was approved by Town Council on May 14, 2007. Final Subdivision approval for Filings 1 and 2 of AMR was approved in May of 2007, and Filings 3 and 4 were approved in June of 2008. An Amendment to the Angler Mountain Ranch PUD was approved by Town Council on May 13, 2009. Town Council approved the Cabins at Angler Mountain Ranch Sketch Site Plan on December 10, 2008. The Preliminary Site Plan for the Cabins at AMR was approved by Town Council on May 13, 2009. Phase I of the Cabins development received final approval on June 24, 2009 and Final Subdivision approval of the Cabins at Angler Mountain Ranch, Filing No. 2, occurred on January 12, 2011. Phase II received Final Site Plan approval on April 27, 2011. On August 14, 2013, Council approved Minor Subdivision and Final Site Plan approval for the Cabins at Angler Mountain Ranch (AMR), Filing No. 3.

BACKGROUND: The Cabins at AMR is zoned for a total of 37 cabin units and the subject application will result in the completion of the last eight units planned for the Cabins at AMR. Phase I of the Cabins at Angler Mountain Ranch was approved with seven Cabin units. Construction on Phase I began in 2009. The Cabins at AMR, Filing No. 2 was approved on April 27, 2011, and added seven Cabin units in accordance with the approved Preliminary Site Plan. The Cabins at AMR, Filing No. 3 Minor Subdivision and Final Site Plan was approved on August 14, 2013, and included fifteen new Cabin units.

STAFF COMMENTS:

Comprehensive Plan Conformance – It was previously determined that the Preliminary Site Plan for the Cabins at AMR was in general compliance with the Comprehensive Plan. The Final Plat Site Plan for the Cabins at AMR, Filing No. 4, is consistent with the Preliminary Site Plan for the Cabins at AMR. Staff finds the Final Site Plan for the Cabins at AMR, Filing No. 4, to be in general conformance with the Town's Comprehensive Plan.

Environmental Hazards – There are no known environmental hazards on Tract C6. While portions of the AMR property do contain areas of possible slope instability, all approved development areas are located outside the areas with identified potential slope instability.

Sensitive Areas – There are no Wetland areas in the immediate vicinity of the Cabins at AMR, Filing No. 4 proposed development.

Final Subdivision Plat: The criteria for approval of a Final Plat are listed in Town Code Section 4-5-10(d) as follows: 1) *Consistency with Comprehensive Plan and other Town master plans and standards.* 2) *Consistency with Chapter 4 of this code and other applicable standards established by the Town.* 3) *Consistency with Zone District*

Town of Silverthorne, Colorado
Town Council Staff Report

Standards or Planned Unit Development Guide, if applicable.

Subdivision Improvements Agreement – A Subdivision Improvements Agreement (SIA) is required to cover all Public Improvements associated with the development. The SIA provides security for the construction of the proposed infrastructure and requires all Public Improvements be installed and accepted prior to the issuance of a Building Permit in the Cabins at AMR, Filing No. 4 development. The SIA has been prepared and brought to Town Council for approval concurrently with the Final Plat and Final Site Plan.

Easements – A 50' wide Private Access, Private Drainage, and Public Utility Easement is being provided with this Final Plat, in addition Drainage, Utility, and Water-line Easements necessary to serve the development. As proposed, the new Private Access Easement, named 'Hare's Ear Lane' comes off Stonefly Drive and will provide access to the eight Cabins proposed in Filing No. 4. Hare's Ear Lane, as established via this plat, will be owned and maintained by the Cabins Homeowners Association and will not become a public street. The proposed easement is of sufficient width to provide water, sewer, and shallow utility services, and is consistent with Town Utility Standards.

Final Site Plan:

Zoning – Tract C6 is zoned as Planning Area PA-4 in the AMR PUD Plan and Guide. The Cabins residential units are a permitted land use in the PA-4 Planning Area. A Cabin unit is defined as a freestanding structure containing a single-family dwelling unit with boundaries defined by the structure and exclusive use of appurtenant exterior elements such as patios, decks, and porches. The Final Site Plan is consistent with the AMR PUD Plan and Guide.

Density – The last eight (8) Cabin units are being proposed with Filing No. 4 and this density is consistent with the PUD Plan and Guide, which allows for a total of 37 units. The proposed density is likewise with the approved Preliminary Site Plan for The Cabins at AMR. Verification of each building location, consistent with the Final Site Plan, shall occur at the time of individual building permitting through a required Improvement Location Certificate (ILC).

Building Separation – Minimum building separation under the AMR PUD is fifteen feet (15'). All units meet the minimum separation requirements.

Exterior Lighting – One street light at the intersection of the private drive and Bald Eagle Road was provided during the first phase of construction for the Cabins at AMR. The existing street light is the typical Town street light fixture. All exterior building lights will be required to meet Town Code lighting requirements, and will be reviewed and approved as part of the Building Permit applications.

Grading and Drainage – Considerable grading will be conducted on Tract C6 in order to access and develop the site. Under the geotechnical consultant's recommendations, cut slopes should generally not be steeper than 3:1, and fill slopes cannot be steeper than 2:1. Plans indicate that the slopes in excess of 3:1 will receive netting or a mulch blanket and

Town of Silverthorne, Colorado
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be reseeded at a rate of 4 pounds per 1000 square feet. Proposed steep slope treatments meet Town Code revegetation requirements. All grading must be limited to those areas shown on the Civil Plans, and the Applicant will maintain the maximum vegetative cover were possible to protect soils, prevent land slippage, and to reduce erosion.

Private Access Drive – The private drive is not considered a “*Public Improvement*” however, the drive is necessary to provide access to the future units. The applicant is aware that no Certificates of Occupancy will be granted unless the private drive (including the fire apparatus turn-around) has been completed in accordance with the approved Engineering Plans.

Driveways – Driveways widths meet Town Code requirements. Driveway lengths will permit additional parking spaces outside the enclosed two car garages without interfering with the access easement.

Landscaping – Landscaping in the Angler Mountain Ranch development is required to follow Town Code landscaping requirements. In this case, the Multi-family residential landscaping requirements apply. The applicable requirements are that 30% of the lot area shall be landscaped, which is being met; with a minimum of 50% evergreen trees and 50% deciduous trees planted therein. The Landscaping section of the Town Code (4-6-11) requires 75 evergreen trees and 130 deciduous trees on the 5.31 acre development site. The current landscaping proposal proposes 90 evergreen trees and 130 deciduous trees of varying sizes, in addition to 485 shrubs, on 30% of the site area.

Snow Storage – Town Code requires designated snow storage areas to be equivalent to 25% of the total paved surface area. The total paved surface area is 15, 500 sq. ft., and the proposed snow storage area is 5,700 sq. ft., or 37% of the total paved surface area.

Parking – A minimum of sixteen (16) parking spaces are required for the site, and the proposed plans show twenty-four (24) parking spaces, thereby meeting the parking requirement.

Building Height - Final building height is measured from the site’s predevelopment grade. Predevelopment grade is considered to be the grade level existing prior to any grading work performed on the Cabins at AMR, Filing No. 4. The PUD permits a maximum building height of 32 feet. The Final Site Plan demonstrates that the building heights are below the maximum building height of 32’. Verification of all the building heights will occur at the time of individual building permitting.

Architecture – The architecture of the residential units shown on the Final Site Plan for the Cabins at AMR, Filing No. 4, is consistent with the existing Cabins development and adheres to the architectural requirements of the PUD Guide. Exterior maintenance of the structures will be conducted by a homeowners association. Under the PUD Guidelines, the Cabins’ architecture is to follow the following minimum architectural criteria:

- a) Siding may include wood siding, shake shingles, stucco accents, metal accents, or log with or without chinking. Combinations of siding are also permitted.

Town of Silverthorne, Colorado
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- b) Colors shall be earth tones and natural colors.
- c) Masonry and/or metal accents may be used.
- d) Garage doors should be sided to compliment the building siding.

Staff finds the proposed building architecture and materials meet the minimum architectural standards.

PLANNING COMMISSION RECOMMENDATION:

Planning Commission, by a vote of 6-0, recommends approval of the Final Plat and Final Site Plan for the Cabins at Angler Mountain Ranch, Filing No. 4.

Suggested Motion: *"I move to approve the Final Plat, with the associated SIA, and the Final Site Plan, for the Cabins at Angler Mountain Ranch, Filing No. 4.*

Alternative Motion: Should the Town Council find that the application does not meet the subdivision requirements, staff recommends the following motion:

"I move to deny the Final Plat and Site Plan for the Cabins at Angler Mountain Ranch Filing No. 4, with the finding that it does not meet Town Code Section 4-5-3, Suitability of Land for Subdivision."

EXHIBITS:

- Exhibit A: Project Narrative by the Applicant
- Exhibit B: Final Plat (8.5" x 11")
- Exhibit C: Final Site Plan (8.5" x 11")
- Exhibit D: Subdivision Improvements Agreement (SIA)

ATTACHMENTS:

Complete Application Binder

The Cabins at
Angler Mountain Ranch
Filing 4

Narrative for

The Cabins at Angler Mountain Ranch Filing 4

April 28, 2015

Applicant:

Compass Homes Development LLC

Summary

This Final Site Plan and Plat submittal completes the remaining portion of The Cabins at Anger Mountain Ranch. Compass Homes Development, LLC is proposing to develop the final 8 Cabins of the 37 units. The project is in conformance with Town Code and contains these 8 cabin buildings on one tract of land approximately 5.31 acres in size. This Site Plan is in consistent with the approved Angler Mountain Ranch PUD Development Guide and Plan. The residential units do not affect wetlands or geologic hazard areas. This Final Site Plan and Subdivision is consistent with the previously approved Preliminary Plat.

As with all previous portions of the cabins development, these units will be platted as townhomes upon completion. Decks, patios, sidewalks and parking areas in front of garages will be HOA owned and maintained as Limited Common Elements, and all other land around the units on this site, will be HOA owned and maintained as Common Elements.

Architecture

The architectural elevations included with this submittal show buildings that reflect the Angler Mountain Ranch theme and do not exceed the 35' height limit. The elevations and the materials will be consistent with that of the other phases of the cabins

Site Characteristics

The site is gently sloping to the southwest and the vegetation is a mix of grasses. The site is surrounded by existing development on three sides and an open space tract to the north. There are no wetlands, setback or other environmental concerns associated with this site. No trees or structures currently exist on this site.

The original Geotechnical Report prepared by Golder Associates addresses this site and is on file at the Town

Zoning

The zoning of the parcel is currently subject to the provisions of the Angler Mountain Ranch PUD. The tract is designated as residential use, and the cabin units as proposed are consistent with current zoning for the property and are an allowed use.

Access and Circulation

Bald Eagle Road provides primary vehicular access through the Angler Mountain Ranch property. Stonefly Drive turns off Bald Eagle to the north about 2/3 of the way to the top of Angler Mountain Ranch. The Cabins Filing 4 will be accessed of a new private drive called Hare's Ear. The associated easements will be dedicated to the Town with this plat.

All necessary parking for these buildings is provided either in garages or in front of garages.

Environmental

There are no environmental impacts associated with this site plan.

Landscaping

A Landscape Plan has been included with this submittal. The proposed plan is consistent with the previous 3 phase of the cabins site.

Development Schedule and Phasing

Pending Town approval of this Final Site Plan, the applicant intends to begin construction of the public improvements as soon as schedules permit. Construction of the cabin units will be sales dependent.

**TOWN OF SILVERTHORNE, COLORADO
SUBDIVISION IMPROVEMENTS AGREEMENT
FOR
THE CABINS AT ANGLER MOUNTAIN, FILING NO. 4 – A RESUBDIVISION OF
TRACT C6, THE CABINS AT ANGLER MOUNTAIN RANCH, FILING NO. 3**

THIS AGREEMENT is made and entered into as of the ___ day of July, 2015, by and between Angler Mountain Ranch, LLC, whose address is PO Box 5265, Frisco, Colorado 80443, hereinafter referred to as "Owner," and the Town of Silverthorne, a municipal corporation of the State of Colorado, the address of which is P.O. Box 1309, Silverthorne, Colorado 80498, sometimes hereinafter referred to as "Silverthorne," together referred to as "the Parties."

WITNESSETH:

WHEREAS, Owner holds title to certain real property located within Silverthorne and described on **Exhibit A** attached hereto (the "Property") and Owner has submitted an application for development of said property known as The Cabins at Angler Mountain Ranch, Filing No. 4 (hereinafter, the "Project"); and

WHEREAS, as a condition of approval of the Project and development of the Property, certain improvements, which are more particularly described on **Exhibits B and C** attached hereto (hereinafter referred to as "Improvements") must be constructed by Owner ; and

WHEREAS, Owner shall also satisfy any other applicable condition or conditions of approval of the Project; and

WHEREAS, Silverthorne and Owner desire to evidence their agreement regarding the construction of these Improvements.

NOW, THEREFORE, the Parties agree as follows:

1. **Purpose and Scope.** This Agreement pertains to Improvements to be constructed on the Property in connection with and as a condition of approval of the Project and development of the Property.
2. **Exhibits and Inclusions.** This Agreement includes the following Exhibits which are attached hereto and incorporated herein by this reference:
 - a. **Exhibit A:** Legal Description of the Property
 - b. **Exhibit B:** Improvements Quantities and Cost Estimates
 - c. **Exhibit C:** Wet Stamped Engineering plans and specifications prepared by Ten Mile Engineering dated April 22, 2015, submitted to and approved

by Silverthorne, and included as a part of this Agreement together with any modifications thereto agreed to by the Parties), referred to hereinafter as the "Engineering Plans".

d. **Exhibit D:** Form of Partial Release of Letter of Credit

3. Improvements to be Constructed. Owner shall install the Improvements described in **Exhibits B and C** and shall be responsible for all associated costs thereof. Before beginning any site work or the construction of any Improvements, the Owner shall submit to Silverthorne final construction plans and specifications for the Improvements which have been stamped and signed by the engineer(s) who prepared the Engineering Plans. The Owner agrees that the Improvements shall be constructed in accordance with the approved Engineering Plans. The Owner agrees to adhere to all Federal, State and local rules and regulations during construction.

Owner shall not modify the approved Engineering Plans or construction methods, means, materials or locations for any of the Improvements without the prior written approval of Silverthorne.

4. Rights-of-Way and Easements. Owner shall provide and dedicate all necessary rights-of-way and easements related to the site development and the construction of the Improvements at the time of final plat for the Project. Owner shall also be responsible for acquiring all other applicable easements, permits and licenses necessary for the construction of the Improvements.

5. Plans and Drawings. Owner will furnish Silverthorne, at Owner's cost, five (5) copies of the Wet Stamped Engineering Plans and all supplemental plans, drawings and specifications relating to the Improvements and overall Project development which shall be prepared, stamped and certified by a licensed, registered Professional Engineer (P.E.), hereafter referred to as the "Design Engineer" or "Engineer of Record." Owner shall furnish Silverthorne three (3) paper copies showing the constructed Improvements in their as-built locations prior to Silverthorne's acceptance of the Improvements. Owner shall pay the cost of adding "as-built" drawings to Silverthorne's GIS system.

6. Cost Estimate for Improvements. In order to secure the construction and installation of the Improvements such that Silverthorne has sufficient funds to complete the construction should Owner default, Owner has estimated the costs of Improvements to be installed as itemized in **Exhibit B**. Silverthorne has, in good faith, reviewed and approved the cost estimates. The Parties acknowledge that the costs and quantities set forth on **Exhibits B and C** are estimates and that the actual costs and quantities may vary from such estimates.

7. Additional Costs. Owner shall be responsible for all costs for the Project, in addition to the basic costs of construction estimated in **Exhibits B and C**, including, but not limited to preliminary and final design, plan, as-built drawing

preparation, construction costs, surveying costs and required studies related to the Project including but not limited to traffic, utilities, and geotechnical studies as well as, inspection and certification, performance and guarantee during construction and the following warranty period, and any other administrative or legal expenses.

8. Security.

- a. Owner shall secure all of its obligations under this Agreement by furnishing to Silverthorne either cash or a letter of credit in the amount of \$149,490.90 in a form acceptable to Silverthorne issued by a Colorado bank or another lender (the "Issuer") acceptable to Silverthorne.
- b. If Owner fails to perform or observe any obligation or condition required by this Agreement, and if such default or defaults remains uncured for more than thirty (30) days after Owner's receipt of written notice thereof from Silverthorne, Silverthorne may either (A) cure the default at Owner's expense and draw on the Letter of Credit from time to time to pay the costs it incurs in connection therewith or (B) issue written notice advising Owner that specific Improvements constructed have been deemed unacceptable until the Owner complies with all obligations and conditions of this Agreement.
- c. The procedures for drawing on the Letter of Credit shall apply whether there may be one or more defaults, or a succession of defaults on the part of Owner in performing the terms, requirements and conditions contained in this Agreement.
- d. If requested by Owner, Silverthorne may consider allowing partial releases of the Letter of Credit as construction of the Improvements progresses. Partial releases shall be considered only for the completion of Improvement items and quantities identified in **Exhibits B and C**. Partial release requests shall be made in writing and shall be accompanied by appropriate records documenting the Improvement items completed their quantities, lengths and/or limits and associated cost amounts. This documentation may include, but is not limited to copies of bills and paid invoices, the schedule of values for the work performed and schedule of values summarizing the work remaining, as well as any other supporting documentation requested by Silverthorne. Silverthorne may elect to inspect the Improvements to verify their completion and shall determine the amount of the partial release within ten (10) business days following its receipt of the request. If Silverthorne agrees that the amount of the partial release request appears to be in proper proportion for the amounts of the completed (and remaining) Improvements and that the Improvements have been constructed in accordance with the approved Engineering Plans and any other applicable requirements of this Agreement, then Silverthorne may release a portion of the Letter of Credit. The amount of

the partial release shall be the amount or quantity of the Improvement completed as identified in **Exhibit B**. Partial release requests shall be made no more frequently than once per calendar month.

- e. No determination by Silverthorne of construction performed nor any partial release of any portion of the Letter of Credit shall be deemed as acceptance of Improvements by Silverthorne.

9. Completion. Before any building permit can be issued within the Project (other than for facilities required as part of the Improvements and as described in **Exhibits B and C**), all improvements must be completed, inspected, approved and accepted by Silverthorne. All Improvements shall be completed in accordance with the approved Engineering Plans, within two (2) years after approval of the Project by Silverthorne. Extension of time for completion of Improvements may be considered by Silverthorne for good cause shown. "Good cause" shall be determined by Silverthorne.

10. Materials and Workmanship. Unless otherwise approved by Silverthorne in writing, all materials to be used for constructing the Improvements shall be new and both workmanship and materials shall be of good quality. Prior to procurement (unless waived by Silverthorne), Owner shall furnish Silverthorne the name of the manufacturer of equipment and materials which it contemplates using for the construction of the Improvements. Owner shall also furnish information on capacities, efficiencies, sizes, etc., and any additional information requested by Silverthorne. Samples shall be submitted for approval when requested. Equipment, materials and articles installed or used for the Improvements without Silverthorne's approval shall be at the risk of subsequent rejection.

11. Work Specifications. All work done under this Agreement shall be completed to the lines, grades, and elevations and shall be constructed with the materials and means shown on the approved Engineering Plans. Owner shall keep Silverthorne informed, at least five (5) calendar days in advance, of the times and places at which it wishes to undertake construction. Any work done without being properly located and established by base lines, offset stakes, benchmarks, or other staking in accordance with the approved Engineering Plans may be ordered removed and replaced at Owner's cost and expense. Silverthorne and/or the Inspector shall issue written notice to Owner regarding any construction or activity which Silverthorne deems unacceptable. All stakes, bench marks, and other survey points shall be preserved by Owner until the Improvements have been accepted by Silverthorne.

12. Protection.

- a. Owner shall keep and maintain all of the Improvements in good order and condition until Silverthorne formally accepts the Improvements. Owner shall at its cost repair or replace any damage to or destruction of the

Improvements that occurs prior to such acceptance by Silverthorne, except to the extent that such damage or destruction is caused by agents or employees of Silverthorne.

- b. Owner shall take all steps necessary to prevent its construction activities from damaging adjacent properties. If any adjacent property is damaged during site work or during the construction of the Improvements, Owner shall at its cost promptly repair or replace the damaged property to a condition equal to or better than that which existed before such damage or injury.
- c. Owner shall take all steps necessary to prevent its construction activities from causing bodily injury to person, including without limitation, traffic control and the installation of safety signage, barricades, fencing, lighting and other safety measures.
- d. In addition to complying with erosion control measures described in the Engineering Plans, Owner shall take all necessary steps to prevent its construction activities from harming water quality, water bodies and wetlands. Owner shall be responsible for obtaining all applicable local, State and/or Federal required construction stormwater permits prior to commencement of site work.

13. Construction Inspection. Inspection shall be provided to assure that all work is performed in accordance with the approved Engineering Plans and with the terms of this Agreement. Owner is responsible for the cost of inspection services related to construction of the Improvements. Full time inspection shall be provided by the Owner's Engineer, unless an alternative method or schedule is approved by Silverthorne in writing. The Inspector and inspection schedule shall be subject to the approval of Silverthorne. The Inspector(s) as described above (hereinafter referred to as "Inspector") will inspect the construction materials and will observe construction of the Improvements to be dedicated to Silverthorne to assure that they have been constructed in compliance with the approved Engineering Plans, and with Silverthorne's standards and regulations. The Inspector shall document their observation of construction on a daily basis and on a form acceptable to Silverthorne, which may also include photo and video documentation. In the event that there are questions or concerns at any time about the quality of construction and/or materials or methods used during construction, Silverthorne may issue written notice advising Owner that specific Improvements in question have been deemed unacceptable.

- a. The Inspector shall notify the Owner within twenty-four (24) hours of all construction or material defects or problems with the construction, either noted by the Inspector or presented to the Inspector by the Owner's Engineer, or by Silverthorne. Such claims may include any matter relating to the materials being used, execution and progress of the work or interpretation of this Agreement, including the approved Engineering

Plans. Any subsequent recommendations or proposed revisions from the Owner's Engineer shall be subject to the final review and decision of the Silverthorne Public Works Director or his or her designee.

- b. The Inspector shall make daily estimations of amounts and quantities of work performed hereunder.
- c. The Inspector and Silverthorne shall have free access to the work at all times. Owner shall furnish both Inspector and Silverthorne with the means for ascertaining whether the work being performed or the work which has been completed is in accordance with the approved Engineering Plans and Silverthorne's Engineering Standards.
- d. The Inspector is in no way be responsible for how the work is performed, safety in, on, or about the job site, methods of performance, or timeliness in the performance of the work.
- e. Silverthorne hereby designates the Public Works Director or his or her designee(s) as representatives with authority to speak for Silverthorne, and with whom the Inspector shall communicate on all matters provided for in this Agreement.
- f. Inspections may extend to all or any part of the Improvements and to the preparation or manufacture of the materials to be used. The Inspector is not authorized to alter the provisions of this Agreement or any specifications or to act as foreman for Silverthorne or Owner. Owner agrees to pay for the Inspector and all related inspection services.
- g. Owner agrees to pay Silverthorne for the examination of submitted plans and Silverthorne's inspection of the work.

14. Quality of Work. If at any time it is determined by Silverthorne or the Inspector that substandard material, not conforming to the requirements of the approved Engineering Plans and specifications has been delivered to the Project or has been incorporated in the work, or if work shall have been performed of inferior quality, then such material or work shall be considered as defective and shall be removed and replaced at the Owners expense.

- a. Any failure to earlier detect defective design, material, or workmanship shall not impair Silverthorne's right to a completed and functional project constructed per the approved Engineering Plans as well as applicable engineering standards and regulations.
- b. If Inspector or Silverthorne discovers defective materials, whether before, during or after installation and if Owner fails to replace rejected materials, Silverthorne may issue written notice advising Owner that these materials and the related Improvements will be deemed unacceptable.

- c. If the approved Engineering Plans, the specifications, the Owner's Engineer's instructions or requirements of any public authority, including Silverthorne, require any work to be specially tested or approved, Owner shall be responsible for performing such testing, obtaining passing test results and providing reports of those results to the Inspector and Silverthorne as quickly as possible, and prior to commencing further work. If any work is covered without approval of the Inspector, the Inspector and/or Silverthorne may order the work to be uncovered for examination and inspection. If Owner fails to comply with these requirements, then Silverthorne may issue written notice advising Owner that specific Improvements in question will be deemed unacceptable.
- d. Reexamination of work or materials may be ordered by the Inspector or Silverthorne. If so ordered, the work or materials must be uncovered by Owner. If such work or materials are found to be in accordance with this Agreement and the approved Engineering Plans, then the party requiring the reexamination shall pay the costs of uncovering, reexamination, replacement, and restoration of the site. If such work or materials be found not in accordance with this Agreement and the approved Engineering Plans, Owner shall pay such cost.
- e. In the event that adverse site or climatic conditions exist which may damage or endanger work, Silverthorne may issue written notice advising Owner that Improvements constructed during these conditions will be deemed unacceptable.

15. Final Inspection. When the work specified in this Agreement is completed and the final clean-up has been performed, Owner shall notify Silverthorne and shall provide a letter, in a form acceptable to Silverthorne, from the Owner's Engineer certifying that all Improvements have been constructed in accordance with the approved Engineering Plans. Silverthorne will then, within ten (10) working days after such notice, make its final inspection. If such inspection determines that the construction of the Improvements appears to have been completed in accordance with the Engineering Plans and the other requirements of this Agreement, and that all Improvements appear to be operating correctly, Silverthorne will accept the Improvements by issuing a Certificate of Completion within ten (10) days of the date of the Final Inspection. If the inspection reveals that the work has not been completed in accordance with the approved Engineering Plans and the other requirements of this Agreement, or is not functioning or may not function correctly, Owner shall be notified in writing and shall promptly correct the deficiency at its cost and, following the completion of such corrective work, reissue its notice of completion to Silverthorne. The re-inspection process and timeframes will be subject to the above schedule.

16. Acceptance of Improvements. Silverthorne shall not accept responsibility for ownership, operation and maintenance of the Improvements

until all Improvements have been completed by Owner, have passed final inspection by Silverthorne and have subsequently received final acceptance thereof by Silverthorne. Upon written request by Owner for a Certificate of Completion, and provided that all of the payments and other performances within this Agreement have been made and completed by Owner, Silverthorne will issue the Certificate of Completion. Upon issuance of the Certificate of Completion, "**Improvements to be dedicated to and owned by Silverthorne**" as described in **Exhibit B** shall be deemed approved and accepted by Silverthorne and shall be owned, operated and maintained by Silverthorne, unless specific conditions are stated otherwise within the Certificate of Completion. All other Improvements which will NOT be dedicated to Silverthorne for ownership, as described in **Exhibit B**, shall be inspected by a private inspector, approved by Silverthorne, who shall provide Silverthorne with a written certification of compliance with the approved Engineering Plans for those constructed Improvements.

17. Warranty and Guarantee. Owner hereby warrants and guarantees to Silverthorne that the Improvements will be fully functional and free of all defects in design, materials, construction and function for a period of two (2) years from the date of their final acceptance by Silverthorne, measured by the date of issuance of the Certificate of Completion. Security shall be deposited to warrant the Improvements against defects during the two-year warranty period. Such warranty security shall be posted in the amount of twenty percent (20%) of the total construction cost of the Improvements for the two-year warranty period and shall be provided either as cash or via letter of credit in a form acceptable to Silverthorne and which is issued by a Colorado bank or another lender (the "Issuer") acceptable to Silverthorne.

- a. Owner warrants that upon acceptance of the Improvements by Silverthorne, title to all work performed and materials and equipment furnished in respect thereof will pass to Silverthorne free and clear of all liens, encumbrances, security interests, bailments, conditional sales contracts, claims and other agreements by which an interest or encumbrance is retained by any person or entity.
- b. Owner warrants that all work performed and materials and equipment furnished in respect of the Improvements are new, of good quality, free from all faults and defects, and in compliance with the approved Engineering Plans. Any work, materials or equipment not complying with these requirements, including any unapproved substitutions, may be considered defective and shall be removed and replaced at Owner's cost.
- c. If, within the applicable warranty and guarantee period set forth above, any of the work, materials or equipment is found to be or becomes defective or deficient Owner shall, without cost to Silverthorne, correct it promptly after receipt of notice from Silverthorne.

- d. The warranty and guarantee periods set forth above shall be extended for any remedial or repair work that may be necessary within the first two (2) years after the issuance of the Certificate of Completion for the Project by Silverthorne. Additionally, the warranty and guarantee period for remedial or repair work shall for be two (2) years after the date of performance of the remedial or repair work. Security, for the remedial or repair work shall also be retained by Silverthorne throughout this extended period.
- e. In any situation where defective or deficient work, materials or equipment affects the safety of persons or property and Owner has failed to respond in a timely manner, then Silverthorne may act immediately to respond, including ordering the suspension of work on the Project. If Owner fails to promptly correct any defect or deficiency where notice has been given to Owner, Silverthorne may undertake the necessary remedial effort. In either event Owner shall immediately reimburse Silverthorne for all costs. Nothing contained herein shall impose any duty upon Silverthorne to act for Owner in an emergency.
- f. All warranty and guarantee obligations shall survive termination of this Agreement and acceptance of the Improvements by Silverthorne. The establishment of all warranty and guarantee periods shall not be construed to create a period of limitation for commencement of any legal proceedings brought for a breach of the warranty.

18. Notice. When any faulty condition in the Improvements is found, Silverthorne shall serve notice to Owner and/or its surety or Issuer of this condition. Upon receipt of said notice Owner or its surety shall proceed immediately and with due diligence to perform all repairs and/or replacements in a satisfactory manner at no cost to Silverthorne. Security in the amount of the actual cost of repair and/or replacement shall be retained for this extended two (2) year period. In the event Owner fails to make such repairs or replacements, Silverthorne shall have the right to do so in the manner described herein. If, in repairing its own work, Owner damages the work or property of others, the repair and payment for such shall be Owner's responsibility.

19. Remedies. In addition to any other remedy allowed by law, in the event of default by the Owner with respect to any provision of this Agreement, including insufficiency of security to complete the Improvements, Silverthorne may refuse to further process any site development or building permit application for any property within the Town of Silverthorne, owned, in whole or in part, by Owner.

20. Indemnification.

- a. Owner hereby expressly binds itself to indemnify and save harmless Silverthorne and its officers and employees, against all suits or actions of every kind and nature brought, or which may be brought against them or any of them; any loss, cost or expense incurred by them or any of them

for, or on account of, any injury or damage received or sustained by any person, firm or corporation during the construction of the Improvements or the applicable warranty period, arising in whole or in part from the acts or omissions of Owner, its contractors and agents

- b. The indemnity contained in this Paragraph benefits Silverthorne and its agents only. This Paragraph confers no benefit or right upon any third party.
- c. Silverthorne does not waive its right to assert, to the fullest extent permitted by law, its immunity from suit under any statute or common law doctrine, including the Colorado Governmental Immunity Act, § 24-10-101, et seq., C.R.S., as well as the limitation upon liability provided therein.

21. Additional Conditions.

- a. **Applicable Law.** This Agreement, and the terms, conditions and covenants herein contained, shall be deemed to complement and shall be in addition to the conditions and requirements of Silverthorne's Town Code requirements and other applicable laws, rules and regulations. This Agreement shall be construed pursuant to the laws of the State of Colorado. Jurisdiction and venue for any cause of action arising under this Agreement shall be proper and exclusive in the Summit County district court.
- b. **Severability.** It is understood and agreed by the Parties that if any part, term, or provision of this Agreement is held by any court of competent jurisdiction to be illegal or in conflict with any law of the State of Colorado, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid.
- c. **Complete Agreement.** This instrument embodies the whole agreement of the Parties. There are no promises, terms, conditions, or obligations other than those contained herein and this Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, between the Parties. There shall be no modification of this Agreement except in writing, executed with the same formalities as this instrument.
- d. **Recording; Benefit.** This Agreement shall be recorded with the Clerk and Recorder for Summit County, Colorado; shall run with the land, and shall be binding upon and shall inure to the benefit of the Parties hereto and upon and to their respective successors, grantees and assigns. Owner shall be released from further obligation hereunder in the event of sale or transfer of the Property or portions thereof (to the extent of such

portions only); provided however, that any successor, grantee or assignee of Owner shall be bound hereby with respect to the Property or such portions thereof so sold or transferred, and this document shall have been recorded and serve as a covenant running with and burdening the land described in Exhibit A, as the burdened property, as an easement in gross for the benefit of the Town of Silverthorne. Any reference herein to Owner shall be deemed to include any purchaser, successor-in-interest or assign of Owner as to all or any part of the Property. Owner shall notify Silverthorne in writing within fifteen (15) days of any sale, transfer, or assignment, giving name and address of transferee, assignee or buyer. Except as set forth in this Additional Conditions paragraph, this Agreement does not confer any right or benefit to any third party.

- e. **Force Majeure.** If Owner's performance of the Improvements is unreasonably delayed, disrupted or interfered with by the presence of any reasonably perceived hazardous material, labor dispute, fire, unusual delay in delivery, adverse weather conditions not reasonably anticipated, any written or oral order, directive, interpretation or determination made by Silverthorne, unavoidable casualties or any other causes reasonably beyond Owner's control, then the Owner's time shall be extended for such duration as provided elsewhere in this section upon Owner's timely submission of its request for an extension of time.
- f. **Effective Date.** The terms of this Agreement shall become binding on all Parties hereto on the recordation of this Agreement in the records of the Clerk and Recorder of Summit County, Colorado.
- g. **No Waiver.** No waiver of any of the provisions of this Agreement shall be deemed or constitute a waiver of any other provisions herein, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided, nor shall the waiver of any default hereunder be deemed a waiver of any subsequent default hereunder.
- h. **Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed an original.
- i. **Authority.** The undersigned hereby acknowledge and warrant their power and authority to bind the Parties to this Agreement.
- j. **Vested Rights.** Silverthorne acknowledges and agrees that (i) Silverthorne has approved the Project, (ii) such approval is considered a site specific development plan, and (iii) pursuant to Section 4-4-14 of the Town Code and Article 68 of Title 24, C.R.S., Owner has obtained vested property rights to develop the Project for a period of three (3) years commencing on the date of this Agreement, subject to Town Code Section 4-4-6. Notwithstanding anything to the contrary set forth in Paragraph 21.e above, the three (3)-year period for Owner's vested

property rights to develop the Project will not be extended for force majeure or any other reason, unless Silverthorne consents to such extension.

k. **Lot Sales.** Owner may not enter into any contract for the sale of any of the Lots which may have been created by a Plat for the Property or take any Lot or ownership specific reservation until Owner has provided Silverthorne with the financial security required by this Agreement. This Section shall not be construed to restrict Owner's right to sell the entirety of the Property to another developer as a bulk sale.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized officials to place their hands and seals upon this Agreement as of the respective dates set forth opposite the acknowledgment below of their execution of the Agreement, to be effective as of the day and year first above written.

TOWN OF SILVERTHORNE, a Colorado
municipal corporation

ATTEST:

By: _____
Bruce Butler, Mayor

Michele Miller, Town Clerk

ANGLER MOUNTAIN RANCH, LLC

By: _____

Title: _____

STATE OF COLORADO)
) ss.
COUNTY OF SUMMIT)

Acknowledged before me this ____ day of _____, 2015, by Bruce Butler, Mayor and by Michele Miller as Town Clerk of the Town of Silverthorne, Colorado.

WITNESS my hand and official seal.

MY COMMISSION EXPIRES: _____

Notary Public

[SEAL]

STATE OF COLORADO)
) ss.
COUNTY OF SUMMIT)

Acknowledged before me this ____ day of _____, 2015, by _____, *(Title and Company name)*.

WITNESS my hand and official seal.

MY COMMISSION EXPIRES: _____

Notary Public

[SEAL]

Exhibit A

SITE IMPROVEMENTS AGREEMENT

Legal Description of the Project

The Cabins at Angler Mountain Ranch, Filing No. 4, A Re-subdivision of Tract C6, the Cabins at Angler Mountain Ranch, Filing No. 3

Exhibit B

SITE IMPROVEMENTS AGREEMENT

Improvements Quantities and Cost Estimates

Improvements to be dedicated to and owned by Silverthorne. (Subject to the two (2) year Warranty period.)

	Item	Description	Unit Price	Total Cost	
1	Erosion Control	Erosion Control Logs - 800 LF	\$4.13	\$ 3,304.00	
		Vehicle Tracking	\$1,570.00	\$ 1,570.00	
2	Excavation, Subgrade Prep	Fine Grade - 14,168 SF	\$0.34	\$ 4,817.12	
3	Water Main	Main Previously Installed		\$ -	
		1 Fire Hydrant	\$7,843.00	\$ 7,843.00	
4	Sewer Main	310 LF 8" SDR-26	\$49.95	\$ 15,484.50	
		3 Manholes	\$3,200.00	\$ 9,600.00	
5	Roadbase, Paving, Pan, Shoulder	Road Base - Hare's Ear Lane - 310 Ton	\$38.00	\$ 11,780.00	
		Paving - Hare's Ear Lane - 175 Ton	\$109.50	\$ 19,162.50	
		Concrete Pan - 2,050 SF	\$9.50	\$ 19,475.00	
		2' Shoulder Road Base - 1,450 LF	\$3.00	\$ 4,350.00	
6	Revegetation	Hydroseed/mulch - 18,954 SF	\$0.12	\$ 2,274.48	
	Total			\$ 99,660.60	
	150% of Total			\$149,490.90	Bond Amount

Exhibit C

SITE IMPROVEMENTS AGREEMENT

Engineering Plans

The Engineering Plans are incorporated herein by this reference, but not attached and not required to be recorded with this Agreement, but must be placed on file with Silverthorne's Public Works Department.

Exhibit D

SITE IMPROVEMENTS AGREEMENT

Form of Partial Release of Letter of Credit

Certificate for the Reduction of
Amounts Available Under
Irrevocable Letter of Credit No. _____
Dated _____ (the "Letter of Credit")

The undersigned, a duly authorized agent of the Town of Silverthorne, Colorado ("Beneficiary"), hereby certifies to _____ (the "Issuer") with reference to Irrevocable Letter of Credit No. _____ dated _____, _____, ("Letter of Credit") issued by the Issuer in favor of the Beneficiary, that:

- a) Beneficiary hereby notifies you that, pursuant to that certain Subdivision Improvements Agreement for the _____ Project dated _____, _____, ("Site Improvements Agreement") by and between the Beneficiary and _____, the Beneficiary has agreed that the amount available under the Letter of Credit shall be reduced by the amount of \$ _____, as of the date of this Certificate.
- b) Following the reduction referred to in Paragraph (1) above, together with all prior reductions, the amount available under the Letter of Credit to the Beneficiary is \$ _____.

IN WITNESS WHEREOF, the undersigned has executed and delivered this Certificate this _____ day of _____.

TOWN OF SILVERTHORNE, a Colorado
municipal corporation

By: _____
Its: _____

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Town of Silverthorne
Council Agenda 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: July 3, 2015, for meeting of July 8, 2015
SUBJECT: Revocable License Agreement for Bender and Brinckerhoff, LLC.

SUMMARY: The applicant, Bender and Brinckerhoff, LLC., is requesting approval of a Revocable License Agreement to construct a stairway consisting of two steps on a portion of the Adams Avenue Right-of-Way. The stairway would be in accordance with the Final Site Plan for Angry James Brewery, located at 421 Adams Avenue.

BACKGROUND: On April 22, 2015, Town Council approved the Preliminary Site Plan for Angry James Brewery, with conditions. In order to locate the building within 5 feet of the front property line, as required by Standard 3.1.2 of the Town Core District Design Standards and Guidelines, the applicant reconfigured the entrance to the building. Due to grade differences between the building and Adams Avenue, a stairway consisting of two steps and its associated railing is proposed on a portion of the Adams Avenue Right-of-Way. A License Agreement for the private improvements within the right-of-way is requested in conjunction with the review of the Final Site Plan for Angry James Brewery. License Agreements are required to be recorded within 30 days of a decision by Town Council.

PREVIOUS COUNCIL ACTION: The plat of the Silverthorne Colorado Subdivision was approved by Summit County on September 14, 1960. The plat created Blocks A through H, each comprised of 24 lots measuring 50 feet by 140 feet each, on average. The plat also shows the Adams Avenue Right-of-Way measuring 60 feet in width.

On September 26, 2001, Town Council denied a Site Plan and Conditional Use Permit for G&H Plaza, which consisted of a warehouse/contractor trades building with three apartments on the second floor.

STAFF DISCUSSION: The proposed Licensed Area measures 2.33 feet by 20 feet (46.66 square feet), and is located immediately adjacent to a proposed 6-foot concrete sidewalk along the west boundary of Adams Avenue. Planning Department Staff finds that the 2-step stairway facilitates locating the building within 5 feet of the front property line, and accommodates for the grade separation between the street and the site. There is adequate space for the stairway as well as future sidewalk and on-street parking on Adams Avenue.

The Public Works Department is not supportive of the License Agreement and private improvements as proposed. Per the comments of the Public Works Director, sidewalks are plowed with 6-foot wide plows, and require a minimum of a foot beyond the edge of the sidewalk on which to run the plow blade. In addition, the Public Works Department

Town of Silverthorne
Council Agenda Memorandum

has requested bollards on each end of the bottom step to help identify the stairway, and prevent snow plows from hitting it.

The proposed License Agreement follows the format and general requirements of similar License Agreements approved by the Town.

STAFF RECOMMENDATION: The Community Development Department recommends approval of the Revocable License Agreement with Bender and Brinckerhoff, LLC.

PROPOSED MOTION: *"I move to approve the Revocable License Agreement with Bender and Brinckerhoff, LLC."*

ALTERNATIVE MOTION: No motion is necessary. The Revocable License Agreement is not granted.

EXHIBITS:

Exhibit A: Revocable License Agreement

MANAGER'S COMMENTS:

REVOCABLE LICENSE AGREEMENT

THIS REVOCABLE LICENSE AGREEMENT is given this 8th day of July, 2015, by the TOWN OF SILVERTHORNE, COLORADO (hereinafter "Town"), to BENDER AND BRINCKERHOFF, (dba Angry James Brewery), whose address is PO Box 23932, Silverthorne, Colorado 80498, (hereinafter "Licensee"), together referred to herein as the "Parties."

RECITALS:

- A. The Town is the owner of certain real property located within the County of Summit, State of Colorado, more particularly described as the public right-of-way for Adams Avenue (the "Licensed Area").
- B. Licensee owns property located to the west of the public right of way for Adams Avenue, more specifically Lot 3R, Block H, Silverthorne Colorado Subdivision.
- C. Licensee desires to add stairway and railing improvements, hereafter referred to as "Improvements", to the Town property, as shown in **Exhibit A**.
- D. Private use of Town owned property requires a license agreement outlining the terms and conditions of that private use.

LICENSE

FOR AND IN CONSIDERATION OF the mutual promises and covenants contained herein, the payment to the Town by Licensee of Ten Dollars and other good and valuable consideration, the delivery, receipt and acceptance of which are hereby acknowledged and confessed, the Parties agree as follows:

1. Grant of License

The Town hereby grants to Licensee a License for the installation of Improvements over and across the Licensed Area, as shown on the attached **Exhibit A**, for the purposes and subject to the restrictions set forth herein. Use of the Licensed Area shall be for the Licensee, the Town, and for general public access.

2. Acknowledgment of Licensee

Licensee acknowledges that the Town's grant of this License does not grant any prescriptive rights in the Licensed Area to Licensee, and recognizes that the Licensed Area is held by the Town in trust for the benefit of the general public. Licensee further acknowledges the existence and applicability of Silverthorne Home Rule Charter, Section 12.11 which provides:

Revocable Permits

The Council may grant a permit at any time for the temporary use or operation of any street, alley or Town owned place, provided such permits

shall be revocable by the Council at its pleasure, regardless of whether or not such right to revoke is expressly reserved in such permit.

3. Limitations on Use of the Licensed Area

- a. The Licensed Area may be used only for the installation, maintenance, and use of a portion of the stairway to the main entrance of the building, and related improvements as have been approved for the Angry James Site Plan. In no event shall the License Area be used for other private improvements.
- b. Licensee shall construct Improvements within the Licensed Area in accordance with the approved Angry James Site Plan. Licensee shall maintain Licensed Area including but not limited to, general upkeep, maintenance, and snow removal.
- c. The storage of snow by Licensee is not permitted in any portion of the Adams Avenue Right-Of-Way.
- d. This License is not exclusive. The Town reserves the right to make or permit such use of the Licensed Area as is not incompatible with the uses permitted to Licensee.
- e. Upon termination of this License for any reason, the Town has the right to require the Licensee to remove all or any portion of the Improvements that it deems appropriate. Any remaining Improvements shall become and remain the property of the Town.
- f. Licensee's use of the Licensed Area shall always and continuously be in compliance with all applicable Federal, State and local rules and regulations, specifically including those contained in the Silverthorne Town Code and associated regulations.

4. Damage

The Town shall not be liable for damage, restoration, or repairs to the Improvements caused by or occurring in connection with any Town related work, activity, operations, and maintenance within the Licensed Area and adjacent rights-of-way.

5. Insurance

Licensee hereby covenants and agrees at all times during the term of this License to cause to be maintained comprehensive general liability insurance against all claims for personal injury, death, or property damage occurring on Licensed Area with minimum limits of liability of One Million Dollars (\$1,000,000) per person, One Million Dollars (\$1,000,000) per occurrence and Five Hundred Thousand Dollars (\$500,000) property damage. Licensee shall provide a certificate of insurance to the Town once annually.

6. Indemnification

Licensee, for itself, its successors-in-interest and assigns, hereby indemnifies and holds the Town harmless for and against any and all claims for injury or damage, including costs and attorney fees, arising out of its use and occupation of the Licensed Area pursuant to the License hereby granted.

7. Term of License; Revocation

This License shall be in force and effect from the date first set forth above, or from such time as the construction of the Improvements within the Licensed Area has commenced, provided that the Town shall have the right to terminate this License upon 30 days' notice to Licensee with or without cause. The License expires if the Site Plan for Angry James has not been completed as approved within the timeframe allowed by the Town Code.

8. Severability; Enforceability; Validity

If any term, covenant, condition or provision of this License or the application thereof to any person or circumstance shall, at any time or to any extent, be invalid or unenforceable, the remainder of this License or the application for such term or provision to persons or circumstances other than those to which it is held invalid or unenforceable shall be valid and enforced to the fullest extent provided by law. Licensee agrees that if and to the extent this License conflicts with the Town's obligation to hold the Licensed Area in trust for the public, this License shall be declared invalid.

9. Binding Effect

This License shall be binding upon and inure to the benefit of the Parties hereto and their respective personal representatives, successors and assigns.

9 Recording

This License shall be recorded at the Licensee's expense, with the Summit County Clerk and Recorder.

IN WITNESS WHEREOF, the Town and Licensee have executed this instrument the day and year first above appearing.

THE TOWN OF SILVERTHORNE,
COLORADO

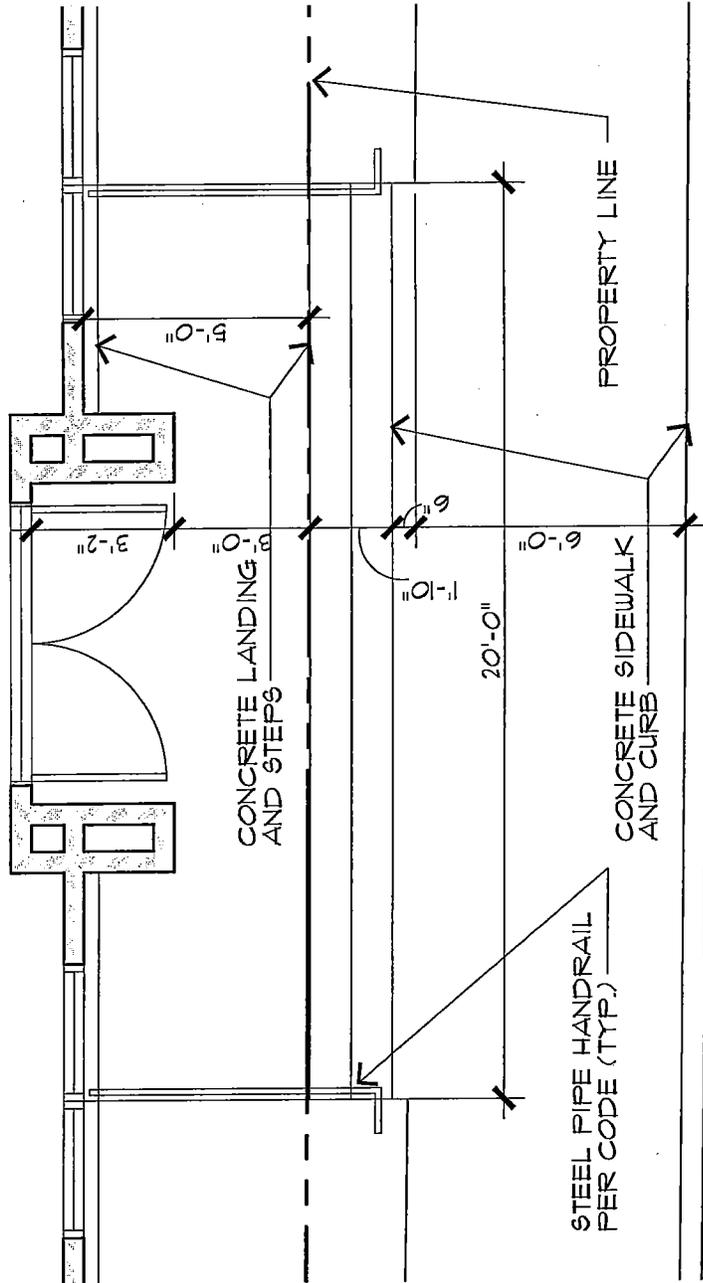
ATTEST:

Michele Miller, Town Clerk

Bruce Butler, Mayor

Exhibit A

Site Plan showing Licensed Area utilized by Applicant and Improvements
(attached)



ENTRY PLAN

SCALE: 1/4" = 1'-0"

Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager *RH*
FROM: Joanne Cook, Recreation and Culture Director *JC*
DATE: July 1, 2015 for meeting of July 8, 2015
SUBJECT: Revised Pre-Development Agreement for Town of Silverthorne and Lake Dillon Theatre Company Project

SUMMARY: The Town and the Lake Dillon Theatre Company (LDTC) are working together to construct a new theatre building on the Pavilion Lawn. A Pre-Development Agreement has been created to memorialize current agreement points and acknowledge future agreement points that will be determined at a later date. This Pre-Development Agreement will be signed in conjunction with the contract for Design Services.

BACKGROUND: A collaborative exploration of the opportunity for a Silverthorne theatre location was undertaken in 2014 between the Town and LDTC. This opportunity was considered because the Town is working to establish a vibrant and pedestrian oriented downtown area as identified in its Comprehensive Plan which also identifies a location for a cultural arts opportunity. Conversely, the LDTC is looking to relocate to a larger facility to further the organization's 2012 strategic plan goals, including a capital plan and further establishing the professional theatre as a regional destination.

PREVIOUS COUNCIL ACTION: At the June 10, 2015 Town Council meeting, Town Council unanimously approved the Pre-Development Agreement as it was presented at that time.

DISCUSSION: Following the June 10th Town Council meeting, the LDTC Board reviewed the same version of the Pre-Development Agreement and suggested one addition. The additional language has been reviewed by the Town's legal counsel and was found to be acceptable. The revised Pre-Development Agreement, as presented in this memo has been approved by the LDTC Board.

The addition is in the Term and Termination section. Language has been added as indicated below by highlight.

6. Term and Termination. This Agreement shall commence upon the Effective Date and terminate on the execution by the Parties of the Development Agreement described above, or on June 1, 2016, whichever occurs first, unless mutually extended by the Parties. Notwithstanding the foregoing, either Party may terminate this Agreement upon 30 days prior written notice, for any reason or no reason, without penalty; provided that, should LDTC terminate this Agreement without cause after the Town has incurred Design Costs, LDTC shall reimburse the Town for 100% of the Design Costs incurred as of the date of termination, up to a maximum of \$400,000; and further provided that, should the

Town of Silverthorne
Council Agenda Memorandum

Town terminate this Agreement without cause after the Town has incurred Design Costs, the Town will be responsible for 100% of Design Costs incurred as of the date of termination. ***In addition, if the Town terminates this Agreement without cause, the Town shall pay LDTC the stipulated amount of \$250,000, to compensate LDTC for the costs of fundraising for the Project, subject to Section 7.i. hereof.*** If the Parties mutually agree to terminate this Agreement, the Town shall be responsible for 2/3 of the Design Costs incurred as of the date of termination and LDTC shall be responsible for 1/3 of the Design Costs incurred as of the date of termination.

It should be noted, that there are also several minor changes in semantics in the revised Pre-Development Agreement, as well. However, none of those changes are substantive in content.

STAFF RECOMMENDATION: Staff recommends that Town Council approve the revised Pre-Development Agreement for the Town of Silverthorne and Lake Dillon Theatre Company Project.

PROPOSED MOTION: "I MOVE TO APPROVE THE REVISED PRE-DEVELOPMENT AGREEMENT FOR THE TOWN OF SILVERTHORNE AND LAKE DILLON THEATER COMPANY PROJECT."

ATTACHMENTS:

Exhibit A: Revised Pre-Development Agreement for the Town of Silverthorne and Lake Dillon Theatre Company Project.

MANAGER'S COMMENTS:

PRE-DEVELOPMENT AGREEMENT

THIS PRE-DEVELOPMENT AGREEMENT (the "Agreement") is made this _____ day of _____, 2015 (the "Effective Date"), by and between the Town of Silverthorne, Colorado, a Colorado home rule municipality with an address of 601 Center Circle, P.O. Box 1309, Silverthorne, CO 80498 (the "Town"), and Lake Dillon Foundation for the Performing Arts d/b/a Lake Dillon Theater Company, a Colorado nonprofit corporation with an address of PO Box 2625, Dillon, CO 80435 ("LDTC") (each individually a "Party" and collectively, the "Parties").

WHEREAS, the Town is the owner of certain real property generally described as the Pavilion Lawn and more particularly described in **Exhibit A** attached hereto and incorporated herein by this reference (the "Property");

WHEREAS, LDTC is a 501(c)(3) organization; founded in 1995, committed to enhancing the quality of life in Summit County by providing unique and accessible cultural experiences through the performing arts;

WHEREAS, in support of its purpose and mission, LDTC produces theatre performances and educational programs for Summit County residents and guests;

WHEREAS, the Parties desire to develop the Property as a theatre, to be operated by LDTC consistent with LDTC's purpose and mission (the "Project");

WHEREAS, to accomplish the development of the Property, the Parties would share in the costs of construction of the Project, and the Town would retain fee ownership of the Property and provide LDTC with a long-term lease of the facility to be constructed on the Pavilion Lawn of the Property;

WHEREAS, the Parties wish to memorialize their intent regarding the development of the Property; and

WHEREAS, prior to the execution of this Agreement, the Town Council requested and received confirmation from LDTC that it had raised at least \$800,000 in pledges toward the Project.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, the sufficiency of which is mutually acknowledged, the Parties agree as follows:

1. General Overview of Project. As noted above, the Parties wish to develop the Property as a theatre, to be operated by LDTC. The Project is expected to commence with a design phase, occurring in 2015. Construction of the theatre building is expected to commence in 2016 and be completed in the spring of 2017.

2. Funding.

a. The Town and LDTC have worked in close collaboration to set a general budget for the theatre construction and commencement of operations therein. That general and tentative overall budget for the Project (the "Total Project Budget") has been estimated at \$6 million, with such costs to be generally allocated between the Town and the LDTC on a 2/3 to 1/3 basis, or \$4 million and \$2 million, respectively. The Town's \$4 million will be paid first, with LDTC's contribution occurring after the Town's \$4 million has been paid. Should LDTC's fundraising efforts fall short, and LDTC is unable to meet its \$2 million contribution anticipated herein, LDTC will use reasonable efforts to obtain additional donations or other financing to cover the shortfall.

b. The Total Project Budget is divided into distinct cost elements, as follows:

i. Design Costs. With input from LDTC, the Town has engaged a design and construction team comprised of Shaw Construction, Semple Brown Architects and Designers, and Mary Hart Design, to design the Project and determine a construction budget for the Project. Subject to Section 6 hereof, the Town shall be solely responsible for all costs associated with the design of the Project, which are currently estimated at approximately \$400,000 (the "Design Costs"). The Town's contribution of approximately \$400,000 to the Design Costs is an element of and not in addition to the Town's Total Project Budget contribution of \$4 million. The Design Costs are part of the Town's total contribution, and shall be included in the Town's \$4 million share. Though the Project will be "design-build", as described below, the Design Costs will be separately allocated.

ii. Construction Costs. As of the Effective Date, the Parties anticipate the total cost to construct the Project at approximately \$5.6 million (the "Construction Costs") which will result in a finished turn-key project. As noted above, the Town intends to contribute \$4 million to the Total Project Budget and LDTC intends to contribute \$2 million to the Total Project Budget.

c. Other Costs. If there are costs above the Total Project Budget, the Parties must agree upon the additional costs and a reasonable split of the additional costs. As of the Effective Date, the Parties anticipate that any other costs may be split as follows: 2/3 by the Town and 1/3 by LDTC, and the Parties understand that the nature of any additional costs will influence the split of costs.

d. Sources of Funding. The Town anticipates that its funding for the Project will come from its general fund, reserves, and possibly the issuance of certificates of participation. LDTC anticipates that its funding for the Project will come from donations. Prior to execution of the Development Agreement, LDTC must demonstrate at least \$1.5 million in pledges. LDTC will continue to actively seek pledges/donations through the first quarter of 2017. LDTC will provide monthly fundraising reports to the Town to document its fundraising efforts.

3. Property.

a. The Town will retain ownership of and control over the Property through construction of the Project. Upon completion of the Project, the Town will retain fee ownership of the Property, but will provide to LDTC a long-term lease of the Property (currently anticipated to be a 20-year lease with two 5-year renewal options).

b. LDTC intends to provide the furnishings and other interior improvements required to operate the theatre. Upon termination of the Lease, LDTC will retain ownership of all furnishings and other interior improvements supplied by LDTC for the Project.

4. Future Agreements. The Parties intend to enter into the following future agreements relating to the Project:

a. Design/Build Contract. The Project will be Design/Build. The Design/Build Contract will be with the Town, and the Town shall be responsible for administering that Contract, with significant input from LDTC on a regular basis. LDTC will not be a party to the Design/Build Contract.

b. Development Agreement. The Parties anticipate that the Development Agreement will address operational funding, allocation of costs and other requirements as the Project costs and other details become clearer. The Development Agreement will be executed prior to construction commencing on the Project. The Parties anticipate that the Development Agreement will include annual financial support from the Town for LDTC operations and programs. This amount is anticipated to be determined year to year in conjunction with the budget planning process of both the Town and LDTC.

c. Lease. As noted above, the Parties anticipate entering into a Lease for the Property, with a 20-year term and two 5-year renewal options. While the Lease may be executed prior to completion of the Project, the Lease will not commence until the Project is completed and LDTC is ready to move into the new building. The Lease fee is yet to be determined. The Lease will address the day-to-day operations and maintenance of the theatre and the Property as well as the long term maintenance. The Parties acknowledge that the level of services provided by each Party for both day-to-day operations and maintenance and long term maintenance of the theatre and the Property will directly impact the amount of operations and program support provided by the Town through the Development Agreement and the annual fee to be paid under the Lease.

5. Temporary Building. In reliance on and anticipation of the Project moving forward in accordance with the schedule and plan set forth herein, in 2016, LDTC will need to move its operations to a temporary building while the Project is being completed. At the Effective Date, LDTC anticipates there may be a shortfall in its operating budget for 2016. The Town and LDTC will cooperatively determine what portion of that shortfall, if any, should be shared by the Parties. Similarly, depending on when construction of the Project is completed, if there is a budget shortfall in 2017, the

Parties shall cooperatively determine what portion of that shortfall, if any, should be reimbursed by the Town.

6. Term and Termination. This Agreement shall commence upon the Effective Date and terminate on the execution by the Parties of the Development Agreement described above, or on June 1, 2016, whichever occurs first, unless mutually extended by the Parties. Notwithstanding the foregoing, either Party may terminate this Agreement upon 30 days prior written notice, for any reason or no reason, without penalty; provided that, should LDTC terminate this Agreement without cause after the Town has incurred Design Costs, LDTC shall reimburse the Town for 100% of the Design Costs incurred as of the date of termination, up to a maximum of \$400,000; and further provided that, should the Town terminate this Agreement without cause after the Town has incurred Design Costs, the Town will be responsible for 100% of Design Costs incurred as of the date of termination. In addition, if the Town terminates this Agreement without cause, the Town shall pay LDTC the stipulated amount of \$250,000, to compensate LDTC for the costs of fundraising for the Project, subject to Section 7.i. hereof. If the Parties mutually agree to terminate this Agreement, the Town shall be responsible for 2/3 of the Design Costs incurred as of the date of termination and LDTC shall be responsible for 1/3 of the Design Costs incurred as of the date of termination.

7. Miscellaneous.

a. Modification. This Agreement may only be modified by subsequent written agreement of the Parties.

b. Notice. Any notice under this Agreement shall be in writing, and shall be deemed sufficient when directly presented or sent pre-paid, first class United States Mail to the party at the address set forth on the first page of this Agreement.

c. Integration. This Agreement and any attached exhibits constitute the entire agreement between LDTC and the Town, superseding all prior oral or written communications.

d. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the Parties and their respective heirs, successors and assigns.

e. Severability. If any provision of this Agreement is determined to be void by a court of competent jurisdiction, such determination shall not affect any other provision hereof, and all of the other provisions shall remain in full force and effect.

f. Governing Law and Venue. This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Summit County, Colorado.

g. Assignment. There shall be no transfer or assignment of any of the rights or obligations of LDTC or the Town under this Agreement without the prior written approval of the other Party.

h. Third Parties. There are no intended third-party beneficiaries to this Agreement.

i. Contingency; No Debt. Pursuant to Article X, § 20 of the Colorado Constitution, any financial obligations of the Town under this Agreement are specifically contingent upon annual appropriation of funds sufficient to perform such obligations. This Agreement shall never constitute a debt or obligation of the Town within any statutory or constitutional provision.

j. No Joint Venture. Notwithstanding any provision hereof, the Town shall never be a joint venture in any private entity or activity which participates in this Agreement, and the Town shall never be liable or responsible for any debt or obligation of any participant in this Agreement.

WHEREFORE, the Parties have executed this Agreement on the Effective Date.

**TOWN OF SILVERTHORNE,
COLORADO**

Bruce Butler, Mayor

ATTEST:

Michele Miller, Town Clerk

Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager *RH*
Mark Leidal, Assistant Town Manager *ML*
FROM: Melody Hillis, Planning Commission Secretary *MH*
DATE: June 30, 2015, for meeting of July 8, 2015
SUBJECT: Appointment of Planning Commissioners

SUMMARY: The Planning Commission currently has three regular member vacancies on the Planning Commission and up to two alternate positions. This is due to the end of two regular Planning Commissioner term, one Planning Commissioner being appointed to the Town Council.

BACKGROUND: This is the list of the current Planning Commissioners and their term expiration dates:

Tanya Shattuck	July 2016	Brian Wray	July 2016
Robert Kieber	July 2017	Tom McDonald	July 2015
Stan Katz	July 2015	Donna Pacetti	July 2017

DISCUSSION: Staff notified the Planning Commission members whose terms are expiring and asked those members to submit a letter of interest if they would like to be reconsidered for reappointment to the Planning Commission. Staff received five letters of interest: Stan Katz, Susan Byers, Jonathan Kamins, Tom Marmins, and Jenny Gloudemans. Tom McDonald opted not to reapply.

Staff advertised Planning Commission vacancies on Facebook, in the Town Manager's Update and on the Town Website starting June 5, 2015 and in the Summit Daily News on June 10, 12, 13, 17, 19, and 23, 2015.

DISCUSSION: Interviews of the candidates were held on July 7, 2015, at 5:00 p.m. at a Special Meeting in the Town Council Chambers.

STAFF RECOMMENDATION: The Community Development Department recommends that the Town Council appoint three regular Planning Commissioners with terms to expire in July, 2018.

PROPOSED MOTION: "I move to appoint _____ to the Planning Commission with a term to expire in July, 2018."

"I move to appoint _____ to the Planning Commission as an alternate(s) with a term to expire in July, 2016".

MANAGER'S COMMENTS:

Melody Hillis

From: STAN KATZ <stan_katz@prodigy.net>
Sent: Tuesday, May 26, 2015 10:52 AM
To: Melody Hillis
Subject: Planning Commission reappointment

Melody -

I understand that my current term as a Planning Commissioner expires this year. I would like to be considered for re-appointment. If a letter of interest and qualifications is desired, please forward the following to the Town Council:

Over the past five years, first as an alternate and then as a regular Planning Commissioner, I believe I have demonstrated my value to the Town Council, which uses the Planning Commission's deliberations as one of its inputs in its own decision-making process. I have attended all but a few meetings over that time, and I believe that the record of my questions and comments, as reflected in the minutes, shows that I bring a high level of preparation and independent thought to the Commission meetings.

The primary role of the Planning Commission should be to scrutinize the application process, providing a procedural buffer between the Planning Department staff and the Town Council. Our role should be to ensure that any proposal which reaches the Council has been filed properly, and that all of staff's comments can be supported by the facts in the application. While we don't always do this to the extent that I, personally, would like to see (we still spend too much time discussing whether or not we 'like' the project, rather than evaluating the details of the application), I believe that we have been moving steadily in that direction, to the benefit of both the Town Council and the Planning Commission itself.

An example of this role occurred recently during the South Maryland Creek presentation, when I observed that the traffic study attached to their proposal was seriously flawed, and had them provide a corrected study before their proposal was forwarded to Council. Regardless of the relevance of the revised estimate to Council's decision-making process, it was important to me that Council receive defensible data. Interestingly, the SMC revised proposal moved several home sites slightly, so that the southern egress would not be overly stressed.

If I am reappointed, I will endeavor to continue to push the Commission in the direction of this primary role, so that we remain relevant as a Commission separate from the Town Council.

At this point, I am sure that you are already familiar with my background, but to summarize: I have a Ph.D. from the University of Pennsylvania in Applied Economics, and a B.A. in Economics from Johns Hopkins University. I spent over 20 years as a member of the American Stock Exchange, both as an independent floor trader and as the owner of a specialist book. I was a member of the West Windsor - Plainsboro (NJ) School District Finance Committee for 12 years, serving as its chairman for 9 of those years, and served as the unofficial demographer for both West Windsor Township and the school board, authoring several reports on both forecasts for population growth and on proper methodologies for creating those forecasts. Finally, in addition to being a Silverthorne Planning Commissioner, I am currently a member of the Summit County Housing Authority Advisory

Committee, a certified high school lacrosse referee, and an Advisor to the Grand Lodge Peak 7 Homeowner's Association.

I look forward to being re-appointed to this important township position.

Stan Katz

Susan K. Byers
279 Two Cabins Drive
Silverthorne CO 80498

May 28, 2015

Ryan Hyland- Town Manager
via email ryan.hyland@silverthorne.org

RE: Letter of Interest- Vacant Town Council Seat

Dear Mr. Hyland:

I am writing you to express interest in the vacant seat on the Silverthorne Town Council. I am a registered voter, and a full time resident of Silverthorne (Three Peaks) since 2003. Prior to this address, my residence was in Mesa Cortina from 1998-2003.

I am proud to call Silverthorne "home." I have nearly 20 years experience in residential and commercial real estate, resort development and extensive P & L and budget experience as an licensed Broker and Asset Manager for a large REIT owner of resort commercial property located in Summit county. Together with my husband Dallas, we have three sons, 27, 24, and 13, all raised in Silverthorne. I am currently an Independent Real Estate Broker with my own firm, Exclusive Properties, based in Silverthorne. It is my desire to serve our Community and contribute my time and expertise toward civic and philanthropic endeavors in tandem with my Real Estate practice and home life.

I deeply appreciate all the Town has to offer as far as quality of life, business opportunity and attractions. That said, there is much we can accomplish with a responsible, collaborative approach involving Staff, Council and Citizens in the local governance process. I offer the following experience to compliment the incumbent Councilpersons and Mayor currently serving our Town:

- Board of Director/Officer for 9 HOA's at Copper Mountain 2004-2014
- Board of Director, Copper Chamber of Commerce 2007-2012
- Board of Director, Village at Copper-Resort Association 2010-2014
- Member, Copper Mountain Architectural Control Committee 2008-2014
- Summit Association of REALTORS 10+ years and Current Member
- Colorado Association of REALTORS 10+ years and Current Member
- Member- American Resort Development Association (ARDA)

I look forward to meeting with you and the Council on June 9, 2015.

Sincerely,



Susan K. Byers

May 26, 2015

To: Silverthorne Town Clerk Michele Miller

Dear Ms. Miller:

Please accept this as my official Letter of Interest for The Town of Silverthorne's Council Vacancy. I have been a residential and commercial real estate developer and investor for 27 years. I have held a seat on the Colorado Springs Planning Commission and worked closely with many city and county governments throughout my career and have a good understanding of the workings. I am a single father of two ages 16 & 18 for which I have raised alone since they were 11 months and 2 years old. I have worked closely with several school boards and chaired a board for a school that my kids attended in Colorado Springs. I have worked closely with foster children and proud to say that I was involved with the "Hanger Program," a non-profit for which I donated the retail space to teach foster children how to work in a retail environment. These kids donated their time every Saturday to learn how to work in a retail environment. I'm also proud to say that we clothed over 700 kids in 2013-2014. Silverthorne is our home now and both my children attend Summit high school. I love where we live and would thoroughly enjoy sharing my experience and helping our community any way that I can.

Unfortunately, I am committed and will be out of town June 5-11 which is during your interview and selection period. If possible, I would greatly appreciate the opportunity to interview before June 5th if that is permitted.

Much thanks for the consideration.

Sincerely,

Jonathan Kamins

To the Silverthorne Planning Commission,

June 23, 2015

I would be very interested in becoming an active member of the Planning Commission. I have a BA in Business with a major in industrial engineering and my father was a commercial contractor. My first employment after graduation was for City Planning Ass. out of Mishawka Indiana doing studies on improving the downtown area of Youngstown Ohio. When the contract was completed I decided to accept employment from US Steel as an I. E. I latter decided to go on my own and became self employed.

I have lived in Summit County for 14 years and in that time I spent 3 years as a CASA advocate representing children in the court system, when I lived in North Star, a development on Hoosier Pass I was the HOA president for 6 years and still communicate with the current president. When I moved from North Star there was a reserve balance of \$85,000. During that same time period I was also on the Red White & Blue fire dept. advisory board. During my time as a CASA advocate I took a course from the Colorado Bar Association in mediation and shadowed a mediator for 6 months, then started doing pro-bono mediation for the 5th Judicial District small claims court which I continue to do on a regular basis. I have mediated cases of Silverthorne as well and mediate non-felony criminal cases for the 5th Judicial District Attorney's Office and several police departments in Summit County. I was asked to become a bailiff, by the court, in order to fill in when several cases were scheduled during the same time period and although not frequently I continue to do that as well. I was selected by the Colorado Governor's office to be a member of the 5th Judicial District Performance Commission and I have 3 more years before I'll be up for reappointment. This commission reviews all of the 5th Judicial District judges that are up for voter reinstatement and publishes a guide for public review.

I am currently on the board of The Glass House, a 389 unit Condominium Association in Denver, CASA of the Continental Divide and the Summit Community Care Clinic, as well as the Silverthorne Police advisory committee. I have been a panel member when Silverthorne police officers are being considered for promotion and act as driver (sometimes nice and sometimes not so nice) in simulated traffic stops for training of new officers and the Citizens Police Academy.

I have been a member of Summit Rotary for 8 years and am active with several projects and committees.

I would like the opportunity to be part of the continuing work to help make Silverthorne even more outstanding in Summit County. I know I can be a positive part of the continuing growth of the Town Core, Cultural, Recreational, Commercial and Residential development in the community.

Sincerely

Tom Marmins

Ryan Hyland
Town Manager
P O Box 1309
Silverthorne, CO 80498

Dear Mr. Hyland:

I am writing in response to the advertisement for the Planning Commission position vacancy. As a full time resident of Silverthorne for the past twenty years, I have had the opportunity to watch our wonderful town grow in a much more organized, thoughtful manner.

My husband and I currently operate two successful businesses within Silverthorne (a hot tub company and a real estate company), and are pleased to be raising our three children in this family friendly community. The clear focus toward creating a true "downtown" area, and the overall Silverthorne Revitalization plan is very exciting, and a project I would love to participate in.

I offer a strong background in Parks and Recreation and hold an MBA from Denver University. These two concentrations will allow me to view both the functionality of plans as well as the economics. Not to mention the perspective of a working mom!

Thank you in advance for your consideration of my bid. I look forward to meeting with you and discussing the Planning Commission position further.

Best regards,

Jenny

Jenny Gludemans
1253 Rainbow Drive
Silverthorne, CO 80498
970-485-0454

Jenny H. Gludemans

PO Box 4630
Dillon, CO 80435
1253 Rainbow Drive, Silverthorne, CO
Phone: 970-485-0454
Fax: 970-262-5967
E-mail: jgloude@comcast.net

Objective

To gain a position on the Silverthorne Planning Commission so that I am able to contribute to the development of the town in which I live, raise three children and operate two successful businesses.

Qualifications

Full Time resident of Silverthorne since 1997. Masters of Business Administration, Denver University and a Bachelors of Parks and Recreation Management Degree with a concentration in Resort Operations from Western Carolina University 1989.

Work History

2010-Present: Broker/Owner, Simply Summit Realty
2001-2010: Realtor: Summit Brokers, Snowhome Properties, Slifer Smith & Frampton Realty
2002- Present: Co-Owner The Hot Tub Company, Inc.
1993-1997- Catering Manager, Keystone Resort
1990-1993- Activities Coordinator, Wintergreen Resort, Wintergreen , VA

Education

1993-1995: Masters of Business Administration, Denver University
1984-1989: Bachelor of Science/Resort Operations, Western Carolina University

References

Jan Geiss, Jan Geiss Accounting Services: 970-468-1474
Chris Lankhorst, Keystone Branch Manager, Slifer Smith & Frampton Real Estate: 970-389-0575

Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager *RA*
FROM: Susan Schulman, Executive Assistant to the Town Manager *SS*
DATE: July 2, 2015 for Meeting of July 8, 2015
SUBJECT: Appointment of EDAC Members

SUMMARY: EDAC has four members whose term limits are June 30, 2015. Three current members whose terms expire June 30, 2015 have indicated that they would like to be reappointed. EDAC therefore, has at least one vacancy to be filled.

BACKGROUND: There are currently 11 EDAC members; their terms are listed below:

EDAC Member	Term Expiration	Number of Terms Served
Brian Edney	30-Jun-15	5th Term
Seth Lyons	30-Jun-15	1st Term
Warren Buettner	30-Jun-15	1st Term
Mike Shambarger(ViceChair)	30-Jun-15	3rd Term
Marc Hogan	30-Jun-16	6th Term
Larry Lunceford	30-Jun-16	6th Term
Eddie O'Brien (Chair)	30-Jun-16	6th Term
Ken Gansmann	30-Jun-16	6th Term
Jayne Esser	30-Jun-16	1st Term
Les Boeckel	30-Jun-16	1st Term
Colleen Meheen	30-Jun-16	1st Term

DISCUSSION: Staff notified EDAC members whose terms are expiring and asked those members to indicate if they would like to be reconsidered for reappointment to EDAC, as well as submit a Letter of Interest stating why they would like to be reconsidered.

Staff advertised EDAC vacancies on Facebook, in the Town Manager's Update and on the Town Website starting June 5, 2015 and in the Summit Daily News on June 10, 12, 13, 17, 19, and 23, 2015.

Interviews of the candidates will occur on July 7, 2015 at 5:00 p.m. at a Special Meeting in the Town Council Chambers. Please bring the Council Packet/Letters of Interest to the Special Meeting. Please note that interviews of EDAC members are not mandatory under Town Code.

STAFF RECOMMENDATION: The Town Manager's office recommends that the Town Council appoint applicants to fill the number of EDAC vacancies with terms to expire June 30, 2017.

PROPOSED MOTION: *"I move to appoint _____ to EDAC with a term to expire June 30, 2017.*

ATTACHMENTS: Candidate Letters of Interest:

- Current Members: Warren Buettner, Brian Edney, Michael Shambarger
 - New Applicants: Linda Hrycaj, Rob Murphy
- EDAC Members and Terms since 2004
EDAC Membership Guidelines

Susan Schulman

From: Warren Buettner <crestoneprop@gmail.com>
Sent: Tuesday, June 16, 2015 8:36 PM
To: Susan Schulman
Subject: EDAC

Susan-

Please use this email as an expression of my desire to remain on the EDAC Committee.

It feels market conditions will present an opportunity in the immediate future for Silverthorne to significantly enhance it's presence as a commercial and tourism destination as well as upgrade the community as a place to reside. EDAC is playing an effective role and I think I can be a positive influence in these activities.

Please thank the Council for their consideration.

Warren G. Buettner

Sent from my iPad



Silverthorne Advisors, LLC

6-4-2015

Silverthorne Town Council
Po Box 1309
Silverthorne
CO 80498

EDAC membership

Dear Council Members,

My term expires July 1st. and by this letter I would like to apply for a further two year term. My interest remains in promoting Silverthorne as a good place for businesses, both existing ones as well as potential newcomers. EDAC has come a long way since its inception and I feel I can continue to contribute to its work.

I have a special interest in seeing the successful relocation and development of a new facility for the Lake Dillon Theater Company in Silverthorne, a project with which the late Jim Beltzer and I were "quietly" engaged several years ago.

Of course, it is always helpful to recruit new blood and if you feel the time is right for that, I will fully understand.

I'll be happy to answer any questions you may have.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Brian Edney', with a long, sweeping underline that extends across the width of the signature.

Brian Edney

CC Ryan Hyland
Susan Schulman ✓



FIRSTBANK

160 U.S. HIGHWAY 6 SILVERTHORNE, COLORADO 80498 970-468-8000

June 29, 2015

Susan Schulman
Executive Assistant/PIO
Town of Silverthorne
601 Center Circle
P.O. Box 1309
Silverthorne, CO 80498

Dear Susan:

I respectfully submit this letter to communicate to the Silverthorne Town Council my desire to renew my position as a member of the Economic Development Advisory Committee (EDAC). I have enjoyed my tenure on EDAC to date and the close working relationship we have with the Town staff and Council. The many changes and developments occurring within the town are very promising and evidence of a common purpose. This is an exciting time for Silverthorne and I hope to lend my skills and input via my EDAC position for an additional two years.

Thank you for your consideration.

Sincerely,

Michael Shambarger
Executive Vice President – Summit County

June 29, 2015

Susan Schulman
Executive Assistant/PIO
Town of Silverthorne
601 Center Circle
P.O. Box 1309
Silverthorne, CO 80498

Dear Susan,

I am interested in applying for the open position on the Silverthorne EDAC group. I have been in the county for 35 years, and have lived in Silverthorne since 1985. I have seen a lot of change as have you all, and would like to try to contribute as I can to the future of this wonderful town.

I have worked at the Keystone Symposia on Molecular and Cellular Biology for the past 25 years. Please visit (www.keystonesymposia.org) to learn more. While I am not a scientist, I do have years of experience planning both domestic and international conferences.

On a local level, I volunteered alongside Ryan Hyland, Larry Lunceford and many others on Silvana's Community Garden Board and am very proud of what we were able to accomplish.

I would appreciate an opportunity to interview. Thanks very much for your time.

With my best, Linda



Linda Hrycaj
PO Box 1161
Silverthorne, CO 80498
970.485.1533 cell

To: Silverthorne Town Council

From: Rob Murphy

Re: Application for Planning Commission and EDAC

6/24/2015

Dear Silverthorne Town Council Members,

Please accept my applications for the Silverthorne Planning Commission and Economic Development Advisory Committee. I would love the opportunity to serve the town in one of these two capacities.

I have a slight preference for serving as member of the Planning Commission. However, I'll not complete my first year of residency until September 18th, 2015. In addition, I realized when investigating this opportunity that I have not yet registered to vote within the town, and am still registered as a voter in unincorporated Summit County. This oversight will be fixed immediately. It was suggested to me that I might be able to serve as an alternate on the Planning Commission until I have completed my first year of residency and I would like to request that the Council consider this.

I'm also interested in serving on the EDAC and I am not aware of any circumstances which would disqualify me for eligibility to serve on that committee.

I have lived in Summit County since 2007; in addition to living with my family in Silverthorne's Polar Court neighborhood, I also work in town at the Family and Intercultural Resource Center (FIRC), where I serve as Assistant Director.

I have served as a member of the Summit Combined Housing Authority's Advisory Board for several years, and as a past Frisco resident spearheaded a local effort supporting the development of Frisco's Peak One neighborhood.

Thank you for considering me as a candidate to serve on one of these two committees; I believe I can make meaningful contributions to either as a result of my work and volunteer experiences, as well as my experience as a local parent of young children and moderate-income homeowner. I would love the opportunity to get more involved in the development of my town, whether helping set direction in terms of land use decisions or in terms of the town's current and future economic development plans.

Sincerely,



Rob Murphy

Robert L. Murphy

PO Box 4910 Dillon, CO 80435 | 970-389-0075 | murphyrl@hotmail.com

Community Involvement

ADVISORY BOARD MEMBER | SUMMIT COMBINED HOUSING AUTHORITY || 2009-Present

ORGANIZER | FAMILIES FOR FRISCO (citizens' group supporting development of Peak One neighborhood) | 2010

BOARD TREASURER | FAMILY WELLNESS CENTER | 2012-2014

Work Experience

ASSISTANT DIRECTOR | FAMILY & INTERCULTURAL RESOURCE CENTER, SILVERTHORNE, CO | MAY 2014-PRESENT

- Directly Supervise 2 Program Managers; indirect responsibility for 14 front-line staff
- Assist Executive Director and Program Managers in developing and monitoring program budgets
- Assist Program Managers and Grants/ Data Manager in collecting, analyzing, and reporting program data
- Lead the performance management process that ensures the organization is performing relative to strategic goals
- Assist Executive Director in informing and updating the community about FIRC and its services

COMMUNITY SUPPORT MANAGER | FAMILY & INTERCULTURAL RESOURCE CENTER | SEPT 2007-MAY 2014

- Supervise 4 full time, 1 part-time direct service staff & several volunteers
- Oversee delivery of food, clothing, housing, utilities, case management, and related services
- Implement and manage 15 grants/funding sources; responsible for program budget of approx. \$500,000
- Assist in program development, evaluation, and grant writing
- Develop & maintain strategic community partnerships with nonprofits, local government, and faith-based organizations

LONG TERM RECOVERY CASEWORKER | CATHOLIC CHARITIES, DENVER CO | JAN 2006-AUG 2007

- Assisted Hurricane Katrina survivors relocated to Denver Metro area with long-term disaster recovery

HOUSING COUNSELOR | HOUSING RESOURCE CENTER, ST. LOUIS MO | AUG 2002-JAN 2006

- Provided rent assistance, mortgage assistance, and housing counseling services to prevent homelessness

SUPPORT CASE MANAGER | BIG BROTHERS BIG SISTERS OF EASTERN MISSOURI | SPRING 2000-FALL 2001

- Provided support case management services to caseload of mentors and mentees

Education

GRADUATE CERTIFICATE IN NONPROFIT MANAGEMENT | MAY 2012 | UNIVERSITY OF COLORADO-DENVER

MASTERS IN SOCIAL WORK | JAN 2006 | SAINT LOUIS UNIVERSITY

BACHELORS IN SOCIAL WORK/BACHELORS IN PSYCHOLOGY | JAN 2001 | UNIVERSITY OF MO-ST. LOUIS

**TOWN OF SILVERTHORNE
TERMS OF ECONOMIC DEVELOPMENT ADVISORY COMMITTEE MEMBERS**

<u>NAME</u>	<u>APPOINTED</u>	<u>TERM</u>	<u>OFFICE</u>	<u>EXPIRES</u>	<u>TERM</u>
YEAR OF APPOINTMENT - 2004					
Alan Barton	1-Jul-04	1 Year	Co-Chair	30-Jun-05	1st Term
Heidi Bimmerle	1-Jul-04	1 Year	Member	30-Jun-05	1st Term
Tom Everist	1-Jul-04	1 Year	Member	30-Jun-05	1st Term
Kevin McDonald	1-Jul-04	1 Year	Member	30-Jun-05	1st Term
Don Sather	1-Jul-04	1 Year	Member	30-Jun-05	1st Term
Dave Anderson	1-Jul-04	2 Year	Chair	30-Jun-06	1st Term
Ken Gansmann	1-Jul-04	2 Year	Member	30-Jun-06	1st Term
Marc Hogan	1-Jul-04	2 Year	Member	30-Jun-06	1st Term
Larry Lunceford	1-Jul-04	2 Year	Member	30-Jun-06	1st Term
Eddie O'Brien	1-Jul-04	2 Year	Member	30-Jun-06	1st Term
YEAR OF APPOINTMENT - 2005					
Alan Barton	1-Jul-05	2 Year	Co-Chair	30-Jun-07	2nd Term
Heidi Bimmerle	1-Jul-05	2 Year	Chair	30-Jun-07	2nd Term
Don Sather	1-Jul-05	2 Year	Member	30-Jun-07	2nd Term
Jim Aiken	1-Jul-05	2 Year	Member	30-Jun-07	1st Term
Ron Bristol	1-Jul-05	2 Year	Member	30-Jun-07	1st Term
Brian Edney	1-Jul-05	2 Year	Member	30-Jun-07	1st Term
YEAR OF APPOINTMENT - 2006					
Mark Hogan	1-Jul-06	2 Year	Member	30-Jun-08	2nd Term
Larry Lunceford	1-Jul-06	2 Year	Member	30-Jun-08	2nd Term
Eddie O'Brien	1-Jul-06	2 Year	Member	30-Jun-08	2nd Term
Ken Gansmann	1-Jul-06	2 Year	Member	30-Jun-08	2nd Term
Wayne Brunetti	1-Jul-06	2 Year	Member	30-Jun-08	1st Term
YEAR OF APPOINTMENT - 2007					
Brian Edney	1-Jul-07	2 Year	Chair	30-Jun-09	2nd Term
Jack Hickey	28-Feb-07	2 Year	Member	30-Jun-09	1st Term
Chris Carran	28-Feb-07	2 Year	Member	30-Jun-09	1st Term
James Beltzer	1-Jul-07	2 Year	Member	30-Jun-09	1st Term
Jim Aiken	July 1 2007	2 Year	Member	30-Jun-09	2nd Term
Ron Bristol	July 1 2007	2 Year	Member	30-Jun-09	2nd Term
YEAR OF APPOINTMENT - 2008					
Marc Hogan	1-Jul-08	2 Year	Member	30-Jun-10	3rd Term
Larry Lunceford	1-Jul-08	2 Year	Member	30-Jun-10	3rd Term
Eddie O'Brien	1-Jul-08	2 Year	Member	30-Jun-10	3rd Term
Ken Gansmann	1-Jul-08	2 Year	Member	30-Jun-10	3rd Term
Wayne Brunetti	1-Jul-08	2 Year	Member	30-Jun-10	2nd Term

January 16, 2007 appointed as Chair
also finished Bartori's term
also finished Bimmerle's term

appointed chair summer 2009

YEAR OF APPOINTMENT - 2009

Brian Edney	1-Jul-09	Member	30-Jun-11	3rd Term
Jack Hickey	1-Jul-09	Member	30-Jun-11	2nd Term
Chris Carran	1-Jul-09	Member	30-Jun-11	2nd Term
James Beltzer	1-Jul-09	Vice-Chair	30-Jun-11	2nd Term
Jim Aiken	1-Jul-09	Member	30-Jun-11	3rd Term
Mike Shambarger	1-Oct-09	Member	30-Nov-11	1st Term

YEAR OF APPOINTMENT - 2010

Marc Hogan	1-Jul-10	Member	30-Jun-12	4th Term
Larry Luncelford	1-Jul-10	Member	30-Jun-12	4th Term
Eddie O'Brien	1-Jul-10	Chair	30-Jun-12	4th Term
Ken Gansmann	1-Jul-10	Member	30-Jun-12	4th Term
Curt Krampert	1-Jul-10	Member	30-Jun-12	1st Term

YEAR OF APPOINTMENT - 2011

Brian Edney	1-Jul-11	Member	30-Jun-13	4th Term
Jack Hickey	1-Jul-11	Member	30-Jun-13	3rd Term
Chris Carran	1-Jul-11	Member	30-Jun-13	3rd Term
James Beltzer	1-Jul-11	Vice-Chair	30-Jun-13	3rd Term
Jim Aiken	1-Jul-11	Member	30-Jun-13	4th Term
Mike Shambarger	1-Jul-11	Member	30-Jun-13	2nd Term

YEAR OF APPOINTMENT - 2012

Marc Hogan	1-Jul-12	Member	30-Jun-14	5th Term
Larry Luncelford	1-Jul-12	Member	30-Jun-14	5th Term
Eddie O'Brien	1-Jul-12	Chair	30-Jun-14	5th Term
Ken Gansmann	1-Jul-12	Member	30-Jun-14	5th Term
Curt Krampert	1-Jul-12	Member	30-Jun-14	2nd Term

YEAR OF APPOINTMENT - 2013

Brian Edney	1-Jul-13	Member	30-Jun-15	5th Term
Seth Lyons	1-Jul-13	Member	30-Jun-15	1st Term
Warren Buettner	1-Jul-13	Member	30-Jun-15	1st Term
James Beltzer	1-Jul-13	Vice-Chair	30-Jun-15	4th Term
Jim Aiken	1-Jul-13	Member	30-Jun-15	5th Term
Mike Shambarger	1-Jul-13	Member	30-Jun-15	3rd Term

replaced by Jayne in 2014

replaced Jack Hickey
replaced Chris Carran
vacated seat July 2014, replaced by Colleen
replaced by Les
Became vice chair July 2014

YEAR OF APPOINTMENT - 2014

Marc Hogan	1-Jul-15	Member	30-Jun-16	6th Term
Larry Luncelford	1-Jul-15	Member	30-Jun-16	6th Term
Eddie O'Brien	1-Jul-15	Chair	30-Jun-16	6th Term
Ken Gansmann	1-Jul-15	Member	30-Jun-16	6th Term
Jayne Esser	1-Jul-15	Member	30-Jun-16	1st Term
Les Boeckel	1-Jul-15	Member	30-Jun-16	1st Term
Colleen Meheen	1-Jul-15	Member	30-Jun-16	1st Term

Town of Silverthorne - EDAC Membership Guidelines

The membership on the Economic Development Advisory Committee (EDAC) is intended to be knowledge-based and will provide broad representation from the community. Individuals desired for membership on the Committee should already serve in positions of leadership or decision making. The community based advisory committee is intended to utilize the knowledge, skills and expertise of citizen volunteers. Expertise in one or more of the following content areas is suggested for membership on the EDAC:

- Legal, sales, marketing, finance and capital fundraising.
- Higher education, strategic planning, community development and engineering.
- Entrepreneurial, business development and job creation.

Experience in the following industries is desired for membership on the EDAC:

- Telecommunications/Internet, Resort/Tourism, Retail, Service/Transportation, Lodging/Hospitality, Energy/Utilities, or Commercial/Office Real Estate.

Town Council members will serve on the EDAC and the Town will assist the committee with facilitators and consultants, if necessary. The Town Manager's Office will coordinate the agenda and meeting process.

The EDAC will consist of eleven (11) representatives who will serve staggered two year terms. The Town Council will advertise for and recruit individuals with knowledge, skills and experience in the above listed content areas. Recruitment will be done by letters of invitation from the Town Council and by advertisement. Applicants will be required to provide a resume and a letter of interest stating why they are interested in serving and what knowledge, skills and abilities they can provide. Meetings are quarterly and will last approximately 2-3 hours. In addition, there are working sub-committees for which each member participates.

The criteria for selection to the Silverthorne Economic Development Advisory Committee will include:

- Knowledge, skill and expertise in the desired content areas and industries.
- Interest in promoting the best interests of the Town of Silverthorne and the surrounding community.
- Objectivity. While it is expected that business owners have their individual self interests, those that have ongoing or overall conflicts of interest should refrain from serving on the EDAC.
- Time commitment. The individual must be willing to commit the necessary time to attend the meetings and review the prepared materials to effectively serve the EDAC.
- Community respect. The individual must be well respected within the community.
- Willingness to learn and share ideas.



DRAFT

**TOWN OF SILVERTHORNE
PLANNING COMMISSION MEETING MINUTES
JUNE 30, 2015 – 6:00 P.M.**

1. CALL TO ORDER – The meeting was called to order at 6:00 p.m., on June 30, 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, Donna Pacetti, Tanya Shattuck and Brian Wray. Staff attending tonight’s meeting included: Matt Gennett, Planning Manager, Lina Lesmes, Senior Planner, Greg Roy, Planner I, Zach Margolis, Utilities Manager, Dan Gietzen, Town Engineer, and Melody Hillis, Administrative Assistant.

3. CONSENT CALENDAR – Stan Katz made a motion to approve the June 16, 2015, Planning Commission minutes. Tanya Shattuck seconded. The motion was approved by a vote of six to zero (6-0).

4. CITIZEN’S COMMENTS:

None.

5. PUBLIC HEARING:

A. Final Site Plan, Replat and Conditional Use Permit – Angry James Brewery, 421 Adams Avenue, Lots 3 and 4, Silverthorne Colorado Subdivision.

Lina Lesmes, Senior Planner, presented the project. The Applicants, AJ and Darcy Brinckerhoff, Angry James Brewery, LLC, is requesting approval of a Final Site Plan, Replat and a Conditional Use Permit for a “Multi-Family Dwelling Unit” in the C-1 Zone District.

COMMISSIONER QUESTIONS:

- Brian Wray - Thought that the stairs on the front were going to be eliminated to bring the entrance to street level, so the stairs are approved?
- Lina Lesmes - The building was lowered so that there are only two steps in front. Split level entrances are not allowed in the Town Core. This is just two steps up to the entrance, and doesn’t qualify as a split level entrance.
- Brian Wray - Glad that there was a compromise made about the stairs in the front.
- Lina Lesmes - Focused on bringing the building forward, and in order to accommodate that the building had to be lowered. Two of the two steps are in the Town right-of-way. That item will require approval of a license agreement by the Town Council.
- Brian Wray - Think the driveway should’ve been on the north side of the structure and had the beer garden all to itself on the south side.
- Lina Lesmes - The was the original plan.
- Brian Wray - Thought that was a better idea.
- Lina Lesmes - The reason for the relocation is for the shared driveway.
- Brian Wray - Which isn’t being done.

Lina Lesmes - Not yet. In the future we can see how a shared driveway would work in that location.

Donna Pacetti - Don't understand the license agreement and the stairs extending into the Town right-of-way.

Lina Lesmes - Any private improvement that happens within the Town right-of-way, the sidewalk and parking lot are public improvements so a license agreement for that isn't necessary. The stairs that are in the Town's right-of-way will be an agreement between the Town and the Applicant, where the Town allows the Applicant to use the Town's right-of-way with certain limitations. The agreement is a template, and the Town Council is reviewing it next week.

Stan Katz - The Applicant is an LLC, what is Angry James Brewery?

Lina Lesmes - The business, or doing-business-as.

Stan Katz - Subset of the LLC?

Darcy Brinckerhoff - Two separate entities.

Stan Katz - Asking because the way the Conditional Use Permit is written is or the LLP and not for the brewery. Wondering about potential separation of the CUP and business?

Lina Lesmes - No subdivision between the business and the CUP, the apartment and building are one, owned jointly.

Stan Katz - Not clear in the Staff report.

Lina Lesmes - There would be a subdivision or condominium of the building if the apartment was going to be separately owned from the brewery itself. Bender and Brinckerhoff are the applicants, the Town is doing the license agreement with them and will be the owners of the property. If the property were to change ownership, the CUP would need to be repossessed.

Stan Katz - What if the brewery changes ownership, but not the property.

Lina Lesmes - It is the property owner.

Matt Gennett - The single apartment CUP use can never be separated. The apartment cannot be condominimized and sold separately, it is always tied to the larger structure and use.

Stan Katz - This is Staff comments and Final Site Plan, and all through this you say the first criteria for review of a Preliminary Site Plan, that is repeated throughout the document.

Lina Lesmes - Sorry, that is a typo.

Stan Katz - All those places say Preliminary Site Plan, the Town Code has two separate processes, and wondering whether or not the title is just being changed.

Lina Lesmes - It is essentially the same process twice.

Robert Kieber - Regarding the Staff comments regarding the replat, second paragraph, last sentence, "Staff finds that the plat is in general conformance with the Comprehensive Plan". Is there a difference between being in conformance with the Comprehensive Plan, and general conformance?

Lina Lesmes - It is one in the same.

Robert Kieber - Offsets itself, to me there might be a difference. The Staff condition regarding the steps on the front, don't like the idea of the license agreement. Plenty of business that I've seen business all over where you come out the front and turn right or left, you can go down steps to the left or down a ramp to the right for possible handicap accessibility. That way the Town could avoid having a license agreement and the business out onto Town property. Regarding the sidewalk, during construction or before the CO is issued, is the front sidewalk going to be installed?

Lina Lesmes - Hope that the improvements, and the sidewalk between the Applicant's property and the corner is improved with the on-street parking and a sidewalk prior to CO, hoping for that to be accomplished. At the minimum there would have to be a landing if there was a disconnect. The goal is to have the improvements in place before the CO is issued.

- Robert Kieber - Strongly ask that Staff recommend or work with the Applicant, would hate to see a brand new business open, and because they're putting their money up front, the Town gets its money out, let's have the curb and gutter before the grand opening. Really big improvement. From an architectural standpoint, going to be a nice place, like the design, looking forward to it opening.
- Dan Gietzen - Regarding the sidewalk comment. The goal would be to ideally have the sidewalk in before opening. Feel that the Town should take stewardship of that, and are behind the design. More than just a sidewalk, it drainage driven also. Need to make sure that the flat street that flows to the north that it works elevation wise with getting to the north, and elevation wise in accepting drainage from Twin Seasons on the corner. Difficult due to starting relatively in the middle of the block you have to figure the drainage factor in the plan. From a budget perspective have to look at each project specifically. Aware of Angry James items, surveying, getting design done. Hopeful that the Town can do the sidewalk next year. If not, there will be a step or a landing temporarily for the business. Is a priority that the Town is looking at, takes time, budgeting and reprioritizing other projects. Know the Applicant is anxious to get open, they want a nice looking frontage and the Town wants that for them as well. Want to make sure that the sidewalk and all the elements look good and match, the whole block isn't going to be done at the same time.
- Robert Kieber - Know that the Town will do what it can. Definitely good will for someone to come in and spend a lot of money building this up. Hopefully the Town Council will go along with that as well.

APPLICANT COMMENTS:

- AJ Brinckerhoff - Applicant, Angry James Brewery. Planning Commission should have a good idea of what our business is going to look like. Make sure that all questions are answered.
- Robert Kieber - Problems with the three conditions?
- AJ Brinckerhoff - No. Been a lot of work, glad to be at final site plan.

PUBLIC COMMENT:

None.

CLOSED PUBLIC COMMENT.

COMMISSIONER COMMENTS:

- Stan Katz - Pleased that all the conditions were dealt with, don't see any problems. Always nervous about parking, something that will be dealt with in the future.
- Tom McDonald - Agree with Stan, hope that the curb can be done sooner than later.
- Tanya Shattuck - Fantastic project.
- Donna Pacetti - Echo what Commissioner Kieber stated. Excited, nice addition to the Town.
- Brian Wray - Good with the project.
- Robert Kieber - Looking forward to it.

BRIAN WRAY MADE A MOTION TO RECOMMEND APPROVAL OF THE ANGRY JAMES BREWERY REPLAT, CONDITIONAL USE PERMIT AND FINAL SITE PLAN WITH THE FOLLOWING STAFF RECOMMENDED CONDITIONS:

1. The Conditional Use Permit is personal to the applicant, Bender and Brinckerhoff, LLC, (dba Angry James Brewery), and is nontransferable. Should the applicant's ownership terminate, the CUP shall expire.
2. The applicant will be required to contribute the proportionate share of the cost of construction the sidewalk and on-street parking, including curb and gutter, directly in front of the subject property prior to the issuance of a Certificate of Occupancy.
3. A License Agreement must be approved for the stairway that is proposed to be constructed in the Adams Avenue Right-of-Way.

DONNA PACETTI SECONDED.

MOTION PASSES BY A VOTE OF SIX TO ZERO (6-0).

B. Final Plat and Final Site Plan Approval – The Cabins at Angler Mountain Ranch, Filing No. 4.

Matt Gennett, Planning Manager, presented the project. The Applicant, Tim Crane, Compass Homes Development is requesting approval for a Final Plat and Final Site Plan Approval for eight units.

APPLICANT COMMENTS:

- | | |
|-----------------|---|
| Tim Crane - | Applicant, Compass Homes Development. Presented the project, explained the proposed project. Explained the mitigation efforts to buffer the existing homes and elements. Requested approval. |
| Bobby Craig - | Arapahoe Architects. Explained the architectural details of the proposed project. |
| Robert Kieber - | Any significant changes, building wise, color wise, etc.? |
| Bobby Crain - | No, not really. Other than moving a dormer to the left or right a little. |
| Tim Crane - | Slightly different size floor plans. |
| Robert Kieber - | Requested that Tim explain the elevation difference from the lower units; where the trees are shown to where the patios or decks might be on the existing units to where the new proposed homes are going to be? |
| Tim Crane - | Showed the graphics to Planning Commission, 40 foot elevation difference between the buildings. The trees would be about 20 feet off of the existing homes. Will work with the homeowners to place those trees. Intent isn't to block the view of perspective buyers, but to create some privacy for the existing homeowners. The site plan has been available to any perspective buyer during the entire building process. Have disclosed these plans from the very beginning. That's why there was the master plan developed in 2006. |
| Donna Pacetti - | What species of trees are to be planted? |
| Tim Crane - | Eight foot blue spruce trees. |
| Joe Maglicic - | Spruce and aspen are called out on the plan, but that can be changed. |
| Tim Crane - | Willing to work with the homeowners to make a determination as to what they would like. |
| Donna Pacetti - | Twenty years from now when the spruce trees 20 feet will that create an issue. |
| Tim Crane - | Intent was to place them downhill for privacy and screening. There is only one window in some of these homes, there are some orientation of decks. Designed these homes so that there wasn't a view of the homes that were built beyond the current homes. |
| Stan Katz - | What role do you expect to have in the HOA once the last piece is completed? |

- Tim Crane - The state law that dictates common interest communities and how they're run, dictates that I turnover at 75% sellout, and there are triggers along the way. I have an expectation to turn the HOA over in good stead, already have a permanent executive board member who is a homeowner member at this point. I would like to turn it over sooner rather than later, due to several reasons.
- Robert Kieber - What percentage of sales are you at currently?
- Tim Crane - About 50 to 60 percent, getting close. Goal is to bring on another board member this year to help facilitate the turnover.

PUBLIC COMMENT:

- Scott Deaner - 68 Buckskin Lane. Concerns are based on 4 homes that are built on Stonefly Drive, and were built too close in our opinion. Tim met with us and told us that those had been approved, and built within a reasonable distance. Didn't agree on that. Tim walked the property with us, showed us where the new homes would be built, showed the distance between the homes, told him wanted trees that would be green all year - round, agreed to evergreens as well as the homeowner next to me, acceptable to us.

CLOSED PUBLIC COMMENT.

COMMISSIONER COMMENTS:

- Stan Katz - Don't see any conflict, Tim has done the right thing with the trees. The plan has been in place since at least 2009, and doesn't look any different than it did then. Have a hard time accepting that no one explained to them that there wouldn't be anything further built. No don't who would have said that, there is no name attached to the comment. Anytime you buy into a subdivision there is that possibility, at this point don't think it really matters, very straight forward. The plan has been in place and there are no surprises.
- Tom McDonald - Project continues to look good, like the new homes, the trees that have been planted over the years are taking hold and growing. The first phases of the homes look nice, and will through the continuation of the project.
- Tanya Shattuck - Has been good working with Tim, done an excellent job on the houses, the quality and that type of thing. Like the idea that they can help with the landscaping, good idea, wish him well.
- Donna Pacetti - Agree. The evergreens are a good compromise. Have been aware of this project for years, not really sure that it is something that is needed, but it is a great compromise.
- Brian Wray - Agree with everyone else, looks good, continuation of what has already been built.
- Robert Kieber - Have on the record that Tim stated that the trees would all be evergreens or some sort of pines. Tim has come through on everything that he has stated even before I was a Planning Commissioner. Having been on a HOA, it is difficult, and when Tim gets the HOA in place that's when you can really plant the plants.

STAN KATZ MADE MOTION TO RECOMMEND APPROVAL OF THE FINAL PLAT AND FINAL SITE PLAN FOR THE CABINS AT ANGLER MOUNTAIN RANCH, FILING NO. 4

TANYA SHATTUCK SECONDED.

MOTION PASSES BY A VOTE OF SIX TO ZERO (6-0).

6. OTHER ITEMS:

Matt Gennett introduced Greg Roy, Planner I. His job will be 50 percent code enforcement, as needed. Greg has already met with John Taylor, and looked at weeds, as well as working on other non-conforming situation that the Town has no lack of currently.

Recognized Tom McDonald for his service on Planning Commission, this is his last meeting.

Marshall's Department Store will be coming into the old Brooke's Furniture Store will be coming before Planning Commission for a Site Plan Modification.

Robert Kieber commented on the cleaning and repair of the pavement at 7-11/Café Toro, does that mean that something is happening there? Matt Gennett stated that it was made very clear that the repaving was step one to any serious consideration of Site Plan modification, the property needed to be brought back up to an acceptable level as far as the Town Code is concerned, technically the conditions of their Site Plan approval have not been maintained.

Stan Katz inquired about the new Italian restaurant, and will Planning Commission be getting anything to review? Matt Gennett commented that no outside work will be done besides a sign permit. Stan Katz a restaurant won't have any exterior modifications? Matt Gennett stated that no, except for the sign. Will have to obtain a sign permit. Stan Katz asked: Wouldn't they have to come to Planning Commission with some type of parking regulations, because nobody at the Town Center has sufficient parking available, much less for a successful restaurant. Matt Gennett stated that the space was always planned as a restaurant, so the parking calculations were taken into consideration when the Town Center PUD was approved. Staff will be verifying that. Stan Katz stated that parking will be the biggest issue. Brian Wray asked if it will be going into the restaurant space that has been there since day one. Matt Gennett stated yes, it will be the sister restaurant to Taddeo's in Breckenridge. Stan Katz stated again that parking will be an issue. Matt Gennett stated that the Town is hoping that we have a parking problem, and that it will be conducive to the getting the momentum going in the Town Core. Brian Wray glad to see that, that space has been filled with junk, and Chevy is a good restaurant owner, he'll do a good job.

Robert Kieber inquired about the two adjoining lots between the Blue River Parkway and the river that have sold. Has Staff had any inquires on that. Matt Gennett stated that there has been one pre-application meeting with the potential owner and developer, talked about doing some high density residential. That person has not come back to the Town, unsure of what the latest disposition is in terms of who has bought, have heard a couple different scenarios floating around. They are mostly higher end, residential development.

Tanya Shattuck inquired about the Starbucks. Matt Gennett stated that the lease has been signed, and have plans approved. Stan Katz asked if it will still be a drive-thru. Matt Gennett stated that as far as Staff knows that is still the plan. Matt Gennett stated yes.

7. ADJOURNMENT:

TOM MCDONALD MADE A MOTION TO ADJOURN AT 7:06 P.M.

DONNA PACETTI SECONDED.

MOTION PASSES BY A VOTE SIX TO ZERO (6-0).

Submitted for approval by:

Approved this of 14th day of July, 2015.

Melody Hillis,
Planning Commission Secretary

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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MINUTES OF SPORT COMMITTEE
June 18, 2015

I. PROCEDURES

1. Attendance: Don Hansen, Bob Mayerle, Marilyn Raymond, John Taylor, Tom Dopplick, Frank Gutmann, Don Langmuir,
2. Staff: Susan Lee
Absent: Joanne Cook, Liz Hodson, Russ Camp, Mary Kay Rachwalski, Marty Richardson, Kathy Swanson, Pat Taylor
Guests: Tyler Bunnelle, PE Teacher at SVE
3. Don Hansen opened the meeting at 6:00 p.m.
4. Previous minutes: Motion to approve by John Taylor, second by Bob Mayerle.

II: PRESENTATIONS

III: PLANNING DEVELOPMENT PROJECTS

1. Silver Trout – has submitted again and is under review for completeness. Many members noted the fact that a good portion of the property is underwater and water is flowing between the river and pond.

IV: OLD BUSINESS

1. River's Edge Plaza signs
- Susan passed around map images.
2. Updates from 2015 Goals Action list
 - a. Osprey Walk
 - i. Bob gave an update: City Market has donated \$25 for ice cream. He shared a copy of the passport. Bird houses have been taken off the agenda due to ambiguity with Lowes. Liz has volunteered to take on the board creation. CPW will be placing their osprey display at the rec center to promote the event starting 7/15/15.
 - b. Bicycle Friendly Community
 - i. Don H. gave report on success of Mountain Bike Clinic held at rec center. Sarah did an excellent job. There were 15 people in attendance. Bike to work day is next week 6/24.
 - c. Trent, Angler & Arctic Placer Master Plans
 - i. Susan reviewed public comments that were received from the three public meetings. Preliminary concept sketches based on these comments were passed around and discussed by the group. Items discussed included:
 1. Arctic Placer – Marilyn asked if the Port-o-let could be enclosed with wood to make it more attractive. Tyler asked how slack line would be maintained. John, Frank and Don L. felt the public comments supported the need to create an official USFS trail heading from Arctic Placer and want to help work with USFS.
 2. Trent – General comments: there are a lot of elements included in the expansion – will they all fit and work together? Tyler would like a better definition of 'flex space'. Marilyn stated that the east/ northbound side of Hwy 9

bike loop. There are approximately 10 miles of trail currently. Summit Mountain Biking could help coordinate the improvements. We need to schedule a time to ride or walk these trails.

- k. Website information
 - i. On hold until Town completes upgrade.
- l. Bird Watching
 - i. Bob reported that his work on bird watching is complete.
- m. Sidewalk Network
 - i. Susan reported that a sidewalk plan has been developed for the Town Core District and shown to Town Council. Waiting on approval for on street parking ordinance. Originally funds for this project were slated to build sidewalks on 4th past FIRC, then down Brian to 5th. This may shift over to the area in front of Angry James depending on their site plan approvals.
- n. Open Space Land Acquisitions
 - i. No update
- o. Blue River Trail Public Access
 - i. Don reported that the new sign kiosk is in at the Dam. Not completely happy with the location. Suggestion was made that SPORT attempt to get it moved by the County. Don reported that Susan tried to work with them to get it moved to no avail.
- p. Blue River Trail Segment 6
 - i. Susan gave update on status of Flood Plain work and easement acquisition.
- q. Events
 - i. Family Fun Night 6/25, Trail to Trail Hike 7/14, Community Picnic 8/5

V: NEW BUSINESS:

- 1. Rivers Edge Educational Signage GOCO Opportunity
 - a. Susan presented on a small GOCO Grant that is aimed at furthering educational partnerships between community organizations that promote enjoyment of the outdoors. Rivers Edge Park educational signage may fit the grant requirements but the Town would need to partner with other organizations. Keystone Science School was mentioned as a partner, Signage on geology and history was discussed. Susan to work on partners and signage.
- 2. Willow Grove mitigation wrap up
 - a. Susan gave updates on the 2014 violations. Most have been mitigated. Lot 15 still in progress. CDLT is billing violators for their administration time.

OTHER:

- 1. Make a Difference Day
 - a. Frank would like to have SPORT work on the USFS property for Make a Difference Day. John Taylor would like a copy of the lease for the property. Not being maintained well.

Motion to adjourn 7:42 pm by John Taylor, second by Marilyn Raymond
Next Meeting: July 16, 2015 - 6:00 p.m.