

SILVERTHORNE TOWN COUNCIL
Meeting Minutes
Wednesday, July 8, 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, JoAnne Nadalin and Ann-Marie Sandquist. Staff members present were Town Manager Ryan Hyland, Police 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 Matt Mire and Executive Assistant Susan Schulman.

The Pledge of Allegiance was recited by those present.

STAFF COMMENTS:

Cook reported that Slide N Slip will be held at Rainbow Park on Friday, July 10th. Proceeds benefit the Rec Center Youth Scholarship Fund.

She also reported that the Trail To Trail hike from Angler Mountain to North Pond Park will take place on Tuesday, July 14th. S'mores will be served after the hike. This is an event attended in the past by tourists as well as residents.

SPORT Committee is organizing a grand opening for the tennis and basketball courts after the work is finished.

Finally, she brought to Council's attention that *Fitness Journal* named Summit and Eagle County as the top two most healthy counties in the country.

COUNCIL COMMENTS:

NONE.

CITIZEN COMMENTS:

Deborah Hague, of Summit County Rotary and the Elks Lodge thanked Council for the generous non-profit grant for the weekly Community Dinner held every Tuesday at the Elks Lodge in Silverthorne. The \$2,750 donated by Silverthorne is above and beyond what other Towns give. 8,000 meals have been served so far this year at the Community Dinner, with 20% being for children for children. The organization's 100,000th meal will be served in October. The organization is actively fundraising as costs are up due to hiring 2 staff members.

CONSENT CALENDAR:

RICHARDSON MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE MINUTES FROM JUNE 24, 2015, RESOLUTION 2015-13; A RESOLUTION AUTHORIZING THE TOWN OF SILVERTHORNE TO PURCHASE A 2015, FREIGHTLINER PLOW TRUCK, RESOLUTION 2015-14; A RESOLUTION APPROVING A LEASE/PURCHASE WITH 1ST BANK OF SUMMIT, REPLAT – ANGLER MOUNTAIN RANCH LAKESIDE TOWNHOMES FILING NO. 6 – FIRST AMENDMENT AND COUNCIL COMMITTEE ASSIGNMENTS. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

BOARD OF ADJUSTMENT:

A. Hampton Inn Sign Variance – 177 Meraly Way, Lot 3R, Summit Park Commercial Subdivision

Lina Lesmes, Senoir Planner, presented the Hampton Inn Sign Variance, the section of the Code in question is 4-9-17, B10 which does not allow signage to be placed on buildings in the Town of Silverthorne above the 2nd story. Hampton Inn would like their sign to be placed on the 5th story. There are 8 criteria for variances that need to be met in order for staff to recommend approval of a sign variance. These criteria relate to the business facing exceptional and extraordinary circumstances that would result in an unnecessary hardship if the Code is enforce. In summary, staff finds that none of the criteria are being met, and therefore, staff recommends denial of the variance.

Applicant

Ed Mace, Co-Founder and President of SilverWest Hotels, owner of the project, and Debbie Mace, Project Manager were introduced. Mr. Mace presented on why the property is seeking the sign variance, with the main reasons being 1) other hotels in Silverthorne had variances approved to have signage above the 2nd story and 2) the location of the signage is in line with the corporate policy of Hilton Hotels, parent company of the Hampton Inn.

Public Comments or Questions

None.

Council Questions

Fowler – if this is not approved, will there be repercussions from the Hilton Group?

Mace – we don't know yet. We'd have to have some negotiation with Hilton.

Fowler – is the sign location in the same position it was on the preliminary Site Plan you originally submitted?

Mace – Not on the Site Plan, but on the Building Plans.

Fowler – Isn't there a sign review when Building Plans are submitted?

Leidal – Signage is typically a separate process, but we are looking at incorporating signage in to the Site Plan application process.

Council Comments

Long - Council has granted sign variances for other business in the Town of Silverthorne. She feels Council should review the signage Code. She supports approval.

Camp, Nadalin, Richardson, Butler – Agree with Long.

SANDQUIST MOVED TO APPROVE THE HAMPTON INN SIGN VARIANCE AT 177 MERALY WAY, LOT 3R, SUMMIT PARK COMMERCIAL SUBDIVISION. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

PUBLIC HEARINGS:

A. Ordinance 2015-06; an Ordinance Amending Chapter 4, Article IV, Zoning Districts and Standards, 2nd Reading

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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.

Public Comments or Questions

None.

Council Comments or Questions

None.

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

B. Ordinance 2015-07; an Ordinance Amending Chapter 4, Article VI, Section 4-6-2(h), concerning the Design Districts, 2nd 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.

Public Comments or Questions

None.

Council Comments or Questions

Sandquist – Nice to get this cleaned up.

SANDQUIST 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 SECOND READING. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

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

Public Comments or Questions

None.

Council Comments

Richardson – still against on street parking on Highway 9.

Sandquist – happy to start with Rainbow Drive.

Long – does not support, feels it will negatively impact businesses and will be costly to repave roads and maintain.

Butler – Appreciates Council comments, feels Council is taking small steps, supports the concept.

Camp – be aware of traffic hazards in Town Core.

CAMP 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 SECOND READING. MOTION SECONDED. MOTION PASSED BY COUNCIL 5-1. (LONG NAY)

D. Ordinance 2015-10, an Ordinance Approving the Conveyance of Real Property (Public .. Service Company of Colorado Easement Lot 10, Silverthorn Colorado Subdivision), 2nd 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.

Public Comments or Questions

None.

Council Comments or Questions

Camp – is staff still comfortable that the cost of this project will be within budget.

Linfield – yes.

Sandquist – appreciates that Linfield is cost and time conscious with projects.

NADALIN 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 SECOND READING. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

E. Final Site Plan, Replat and Conditional Use Permit – Angry James Brewery, 421 Adams Avenue, Lots 3 and 4 Block H, Silverthorne Colorado Subdivision

Lina Lesmes, Senior Planner, presented the project. The Applicants, AJ and Darcy Brinkerhoff, 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. Staff recommends approval.

Applicant

AJ and Darcy Brinkerhoff were introduced. They thanked Council and staff for the April 22 approval of the preliminary Site Plan, after the 11 conditions were met.

Council Questions

Camp – will the steps be on Adams Avenue?

Lesmes – yes.

Nadalín – will pedestrians be able to use the sidewalk?

Lesmes – yes, the entire 6 feet of sidewalk will be available to pedestrians.

Richardson – how will wet mash be handled? Will it be stored outside? Staff should keep an eye on this.

Brinkerhoff – a rancher will pick up weekly; it will be stored outside in an enclosed receptacle.

Fowler – will the grain silo be functional?

Brinkerhoff – yes, but not at first, due to cost. At first it will just be signage.

Butler – what is your timeline?

Brinkerhoff – hope to be open in summer of 2016 and in the ground before winter.

Public Comment

Stan Katz, 1876 Peregrine Lane, would like Council to think about parking codes, and the requirement for all businesses to have parking behind their properties.

Council Comment

Richardson – does not find street parking in Dillon or Frisco very attractive.

Sandquist – nice job to AJ and Darcy and staff for revising conditions. Great project, excited for opening.

Butler – good luck and welcome.

FOWLER MOVED TO APPROVE ANGRY JAMES BREWERY REPLAT, CONDITIONAL USE PERMIT AND FINAL SITE PLAN WITH THE FOLLOWING PLANNING COMMISSION 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. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

F. Final Plat, SIA 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. These are the final eight cabin units. Staff recommends approval. Planning Commission approved last week.

Applicant

Crane explained that these cabin units will be of the same architectural features, same materials, and same colors as the other units. He also mentioned that at a recent community meeting, residents were concerned about the proximity of the new units to the existing units. Crane will install small trees or shrubs to buffer.

Bobby Craig of Arapahoe Architects commented that there will be mixture of roof type and which side the garage is placed on, as with the previous cabin units.

Council Comments

Camp commented that Angler Mountain Ranch is a very positive development for Silverthorne.

RICHARDSON MADE A MOTION TO RECOMMEND APPROVAL OF THE FINAL PLAT AND FINAL SITE PLAN FOR THE CABINS AT ANGLER MOUNTAIN RANCH, FILING NO. 4. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

ACTION ITEMS:

A. Revocable License Agreement – Bender and Brinckerhoff, LLC. DBA Angry James Brewery – 421 Adams Avenue

Lina Lesmes, Senior Planner, presented the Applicant, Bender & Brinckerhoff, LLC's request for 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. She reviewed her staff memo and recommended approval.

Council Comments

Butler appreciates staff working with the applicant on this agreement.

CAMP MOVED TO APPROVE THE REVOCABLE LICENSE AGREEMENT WITH BENDER AND BRINCKERHOFF, LLC. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

B. Revised Pre-Development Agreement for Town of Silverthorne and Lake Dillon Theatre Company Project

Ryan Hyland, Town Manager, presented the Lake Dillon Theatre Company's (LDTCC) Agreement to memorialize current agreement points and acknowledge future agreements points that will be determined at a later date. This Agreement will be signed in conjunction with the contract for Design Services. He reviewed the staff memo and recommended approval.

SANDQUIST MOVED TO APPROVE THE REVISED PRE-DEVELOPMENT AGREEMENT FOR THE TOWN OF SILVERTHORNE AND LAKE DILLON THEATER COMPANY PROJECT. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

C. Appointment of Planning Commissioners

Leidal discussed the Appointment of Planning Commissioners; there were no questions or discussion from Council.

CAMP MOVED TO APPOINT SUSAN BYERS, JENNY GLOUDEMANS AND STAN KATZ TO THE PLANNING COMMISSION WITH TERMS TO EXPIRE IN JULY 2018. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

FOWLER MOVED TO APPOINT JONATHAN KAMINS TO THE PLANNING COMMISSION AS AN ALTERNATE WITH A TERM TO EXPIRE IN JULY 2016. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

D. Appointment of EDAC Members

Hyland discussed the Appointment of EDAC Members; there were no questions or discussion from Council.

NADALIN MOVED TO APPOINT WARREN BUETTNER, BRIAN EDNEY, LINDA HRYCAJ AND MICHAEL SHAMBARGER TO EDAC WITH TERMS TO EXPIRE JUNE 30, 2017. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

DISCUSSION ITEMS:

Richardson had a question about the theater design; when will Council see the concepts. Hyland replied that there will be a work session on this topic soon.

Richardson also asked Cook if the Pavilion is using local breweries at events. Cook will find out; the Pavilion definitely uses local distributors.

INFORMATIONAL:

- A. Planning Commission Meeting Minutes, June 30, 2015
- B. SPORT Meeting Minutes, June 18, 2015

SANDQUIST MOVED TO ADJOURN. MOTION SECONDED. MEETING ADJOURNED AT 7:45 P.M.

BRUCE BUTLER, MAYOR

ATTEST

SUSAN SCHULMAN, EXECUTIVE ASSISTANT

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.