

**SILVERTHORNE TOWN COUNCIL MEETING  
 AGENDA FOR AUGUST 26, 2015- 6:00 PM**



- I. CALL TO ORDER/ROLL CALL/APPROVAL OF AGENDA**
- II. PLEDGE OF ALLEGIANCE**
- III. STAFF COMMENTS**
- IV. COUNCIL COMMENTS**
- V. CITIZENS' COMMENTS\***
- VI. CONSENT CALENDAR**
  - Town Council Meeting Minutes, August 12, 2015..... 8
- VII. PUBLIC PRESENTATIONS\***
- VIII. BOARD OF ADJUSTMENT**
- IX. LIQUOR BOARD**
  - A. Kum & Go #907 – Renewal of 3.2% Beer Liquor License ..... 17
  - B. Summit County BPOE #2561 – Renewal of Club Liquor License..... 19
  - C. GMS2, Inc. & 7-Eleven, Inc. dba 7-Eleven Store 23963A – Transfer of Retail  
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- X. PUBLIC HEARINGS**
  - Ordinance 2015-11; an Ordinance Amending Silverthorne Town Code Chapter  
 4, Article VI, Site Plan, Concerning the Town Core Periphery Design District –  
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- XI. ACTION ITEMS**
  - Replat and Final Site Plan Approval - River's Edge Condominiums, Lot 8R,  
 Riverview Subdivision, Filing No. 2, Lot 8R, 421 Rainbow Drive... .....54
- XII. DISCUSSION ITEMS**
- XIII. EXECUTIVE SESSION**
- XIV. INFORMATIONAL**
  - A. Planning Commission Meeting Minutes, August 18, 2015..... 132
  - B. SPORT Committee Minutes – 7-16-15 ..... 140
- XV. ADJOURNMENT**

\* 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.

**COUNCIL WORK SESSION:** AUGUST 25, 2015 – 6:00 P.M.  
**TOPIC:** THEATER DISCUSSION

**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.*

SEPTEMBER 8                      PUBLIC WORKS STRATEGIC PLAN

SEPTEMBER 22                    BUDGET - 2016

OCTOBER 13                      OPEN

**FUTURE WORK SESSION DISCUSSION ITEMS:**

HISTORIC SOCIETY

# August 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4 Osprey Day—North Pond Park	5 Community Picnic— Pavilion 5:30 p.m.	6 Registration Day for Fall Programming	7 Payroll	8
9 Rocky Mountain Triathlon—North Pond Park	10	11 Planning Commission	12 Council Meeting	13 Just for Boys— Pavilion	14 Payroll	15
16	17	18 Work Session	19 Council Meeting	20	21	22 Pool Party
		Planning Commission	Court	SPORT Meeting	Payroll	
23	24	25	26	27	28	29
Pool Closed for upgrades and maintenance thru Sept 26						
Rec Center Closed for upgrades and maintenance thru August 31						
First Day of School						
	31	1 Work Session	2 Council Meeting	3		
Pool Closed for upgrades and maintenance thru Sept 26						
Rec Center Closed for upgrades and maintenance						

# September 2015

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

# October 2015

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
				8	9 Payroll	10
4	5	6	7			
		Planning Commission				
11 Pumpkin Fest	12	13	14	15	16	17
		Work Session	Council Meeting	SPORT Meeting	Payroll	
18	19	20	21	22	23	24
25	26	27	28	29	30	31
		Planning Commission	Court			
		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 *SS*  
**DATE:** August 21, 2015 for Meeting of August 26, 2015  
**SUBJECT:** Staff Comments

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Attached please find the Staff Comments and Updates for the August 26, 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 and Culture Update

**ACTION REQUIRED**

No action is required; these items have been submitted for informational purposes.

## **Administrative Services – August 19, 2015**

**2016 Budget** – We proceed with updating the 2016 Budget. The Town conducts a two-budget process where departments and programs spend much time and effort researching and preparing budget worksheets and making budget requests/presentations. The current budget cycle for the two-year budget is 2015 & 2016. The major efforts for the 2015 & 2016 budget cycle was conducted and approved by Council in 2014. The ‘Off-Year’ of the budget, 2015, is spent focusing on long planning and implementation and less on work papers. We’re still required by law and charter to present and approve a budget for fiscal year 2016, even though the 2016 budget has been approved through the budget process in 2014.

Departments and programs have completed the 2015 work papers which gives us their estimations for the remainder of 2015. Several different Asset Management committees have meet to discuss 2015 activity and potential changes for the 2016 budget. Departments/programs are looking for any changes to the 2016 budget that are over \$5,000 or any capital projects, programs or personnel additions or deletions. We’re reviewing revenues as well. With this new information, we’ll bring an adjusted 2016 budget to Council to be reviewed at a September Council work session. The Council will officially vote on the 2016 budget in October and November.

**Payroll Time Entry** - We’re using the Joint Sewer Authority (JSA) as our BETA site for setting up the Novatime time entry process. This is a computerized time entry system. 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.

The JSA has used the Novatime system for the last two payrolls and everything has work well. JSA management has reported that they’re very pleased with the system. We’ll continue having JSA use the system as we setup written process and training for other departments. Generating written procedures is now the priority.

**2016 Non-Profit Grants** – The 2016 Non-Profit Grant applications were due this last Monday August 17<sup>th</sup>. Susan Schulman is compiling the applications and will be distributing the booklets to the Council review committee. The committee will meet sometime in late September. We’ll report later as to the number of applicants and total amount requested.

## Public Safety – August 20, 2015

**Incidents:** On 08-06-15 officers were dispatched to a dog bite resulting in a death of a neighborhood cat which was located at a residence in Willowbrook. Upon arrival, officers observed a deceased cat that had been brutally attacked by a large animal. During the investigation, the offending dog was found nearby with fresh injuries to his face. The owner of the dog was contacted, advised of the attack and charged with “dangerous or potentially dangerous dog.”

On 08-11-15 an officer while on patrol observed a vehicle traveling in the area of Rainbow and Lagoon driving carelessly. The officer observed several moving and traffic violations and decided to stop the vehicle. The officer turned on the emergency equipment in order to make a contact, however, the driver decided to pull into a parking lot and continued to drive without stopping. At the end of the parking lot, the driver struck the curb causing her vehicle to stop abruptly. After further investigation, the driver of this vehicle was found to be DUI and was charged with DUI, DUI per se, entering through a highway stop or yield intersection. The driver blew a 0.166, twice the legal limit and was taken to the Summit County Jail.

On 08-13-15 officers responded to a theft from a local paint store. Upon arrival, it was explained that an employee had been fired for making continues threats to the management. The employee was told to leave and not to return to the premises. The ex-employee left out the front door but re-entered through the side door. The ex-employee then went into the management office and stole several items. When officers arrived the ex-employee had already gone. An arrest warrant has been issued for his arrest.

Our officers have also had multiple accidents in the intersections of Hwy 9 and the I-70 WB on ramp resulting in minor to serious injuries. The police department is working jointly with CDOT in order to come up with a resolution to prevent further incidents in the future. We expect a change in the traffic light configuration for the WB on ramp from Hwy 9 soon.

In addition to the above, officers handled several motor vehicle accidents, thefts, frauds, harassment, a couple of criminal mischiefs, another dog bite, trespass, and other agency assists as well as business and area checks. Officers also took part in municipal court and county court. Officers continue to issue numerous traffic citations and warnings.

**Feedback from the community:** Many people were concerned about the delays they experienced during the repaving of our streets. Officers helped direct traffic and kept our paving and Public Works staff safe during this work. We now have nice roadways to travel on.

**Department Training:** Several officers attended drive training, rifle training, and Officer Fliszar attended a Car Seat Conference and CIT training. Lynn went to an open records class.

**Staffing:** We have recently hired a new officer, Logan VanDuzer who will start September 2<sup>nd</sup>. Logan comes to us from the Steamboat area where he was working as a seasonal Ranger for Colorado Parks and Wildlife.

## **Public Works – August 20, 2015**

**Streets:** Our Cutler repaving project is complete, at least with regards to the paving portion of the work. Although there were some short term traffic impacts, we are pleased that we had no serious incidents and the new pavement looks great. Streets completed included Bald Eagle Road (funded mostly by Xcel), Adams, 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> W. 6<sup>th</sup> Street, East 6<sup>th</sup>, Center Circle, Rainbow Drive, E 4<sup>th</sup>, Lagoon, and Tanglewood Lane all completed. The beauty of this process was that we recycled, in place, the existing asphalt, then we added a one inch overlay on top, leaving us with virtually and brand new pavement. We are now doing all the shoulder work, and have arranged for re-striping which will commence next week, including the addition of on-street parking on Rainbow Drive near the park and Recreation Center.

**Parks:** Our full time and part time staff remains busy with mowing, weeding, restrooms, irrigation systems, and general landscape work. We get a lot of special requests from other staff and from citizens which we get so as time permits. We are also starting to plan for this year's Holiday Lighting program so that we can get ordered any additional lights or decorations in time for the season.

**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. We are watching over the water and sewer relocations for Rivers Edge Condominiums and the JSA sewer project on Rainbow Drive.

**JSA:** The sewer main upsizing continues in Rainbow Drive, and will then be followed by another similar project behind and beside the Recreation Center.

**Recreation Center shut down:** The five week shutdown starts this weekend for the new Pool Pak and new boilers. Staging is already underway behind the center.

## **Community Development Department – August 20, 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.

**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.

**Summit Sky Ranch (aka South Maryland Creek Ranch)** – Town Council approved the Major PUD Amendment for South Maryland Creek Ranch. The Preliminary Plan for the project has been submitted.

**Lake Dillon Theatre Company (LDTC)** – Design work continues on this exciting new project.

**Arctic Placer Park, Trent Park, Angler Mountain Open Space** – DHM Design has completed the design for the master plans for these parks and public input has been given. The SPORT Committee will be reviewing the final versions of these plans.

**Code Enforcement** – Greg Roy has been enforcing the code particularly relating to noxious weeds.

**Public Works Strategic Plan** – The Public Works Strategic Plan is nearing completion and will be scheduled for Town Council review in September.

**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):

- Angler Mountain Ranch Filing No. 3 – Third Amendment
- Marshall's – Site Plan Modification
- South Maryland Creek Ranch (Summit Sky Ranch) – Preliminary Subdivision
- Rivers Edge Condominiums – Final Site Plan
- Mattress Firm – Preliminary Site Plan

## Recreation and Culture – August 21, 2015

**Recreation Center** – Work continues on the Arts and Culture Strategic Plan, with the next Advisory Group meeting on September 2<sup>nd</sup>. The project team has met with comparable communities and is beginning to construct the framework for the written plan. A productive agenda has been created for the Advisory Group meeting and the upcoming public meeting, which will be held on the evening of October 1<sup>st</sup>.

The RFP for PR Services was distributed on July 31<sup>st</sup> and proposals are due August 28<sup>th</sup>. So far, I have been contacted by six firms that are interested in the project.

Summer programming is winding down at the Recreation Center and staff is gearing up for three significant facility projects. In September, the Recreation Center's Pool Pak will be replaced, we will conduct our annual aquatics shut down including replacement of the pool boilers, and the entire facility is getting new tile and carpeting. The entire facility will be closed for a week, which is unprecedented in our 20 years. However, it is necessary due to the carpet and tile project. Silverthorne passholders can use the Breckenridge Recreation Center during this time. The closure has been advertised through mass emails, the website, posters, and ad in the SDN, and more. We are working hard to be sure all of our customers know what to expect as we make these exciting facility improvements.

A five-visit punch pass was donated to Summit Huts Backcountry Ball. The value of the pass is \$60.

**SPORT** – SPORT Committee members Kathy Swanson and Tom Dopplick worked with Sports and Athletics Coordinator, Mindy Nicholds, to plan a grand opening for the Rainbow Park tennis, basketball, and pickleball courts project. The grand opening was held on Wednesday, August 12 and was a fun event for the approximately 40 people who attended. The celebration included a fastest tennis serve contest, a basketball shoot out, and a pickleball bounce contest, along with a greeting from the Mayor.

Osprey Walk was a huge success, with over 200 people in attendance! Kudos go to Bob Mayerle, Don Hansen, Nancy Bomgardner, and Liz Hodson for their work on this exciting new community event. This event will undoubtedly continue next year.

Susan Lee, Planner, and Mindy Nicholds, Sports and Athletics Coordinator, have worked with DHM to finalize the new master plans for Artic Placer, Trent Park, and Angler Mountain Park. DHM's draft plans were reviewed by SPORT at their August meeting and will be presented to Council during an upcoming meeting.

**Pavilion** – The wedding season is about half-way completed and our first season offering bar service has gone very well. Staff looks forward to realizing what the true budget implications of this new service will be. So far, it appears to be a very positive change.

**Upcoming Pavilion Events**

Aug 20	Yoga
Aug 20	Concert
Aug 21	Wedding
Aug 22	Wedding
Aug 23	Concert
Aug 25	Farmers Market
Aug 25	Yoga
Aug 27	Pump n' Dump Show / Lake Dillon Preschool Fundraiser
Aug 28	Wedding
Aug 29	Wedding
Aug 30	Wedding
Aug 31	Life Line Screening
Sep 1	Farmers Market
Sep 2	Arts Advocate Meeting
Sep 3	FOLBR John Fielder
Sep 4	Doo Wop Denny
Sep 5	Wedding
Sep 6	Wedding
Sep 7	Wedding

Town of Silverthorne  
Council Agenda Memorandum

**TO:** Town Council  
**THRU:** Ryan Hyland, Town Manager  
**FROM:** Michele Miller, MMC, Town Clerk *mm*  
**DATE:** August 21, 2015  
**SUBJECT:** Town Council Meeting Minutes from August 12, 2015

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**SUMMARY:** Staff asks the Town Council to approve the Town Council Meeting minutes from August 12, 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:**

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**SILVERTHORNE TOWN COUNCIL**  
**Meeting Minutes**  
**Wednesday, August 12, 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, Chief Mark Hanschmidt, Facility Manager Steve Herman, Public Works Director Bill Linfield, Assistant Town Manager Mark Leidal, Senior Planner Lina Lesmes, Operations Superintendent Mike Bittner, Town Engineer Dan Gietzen, Utilities Manager Zach Margolis, Town Attorney Matt Mire and Town Clerk Michele Miller.

The Pledge of Allegiance was recited by those present.

**STAFF COMMENTS:**

Herman updated Council on the upcoming Recreation Center closure and scheduled improvements to the facility during that time.

Margolis reviewed the Rainbow Drive JSA East Bank Interceptor replacement project and its impacts to Town.

Hanschmidt updated Council on the Pro Cycling Tour on August 18, 2015.

**COUNCIL COMMENTS:**

**A. Seth Lyons, EDAC Member, Recognition**

**B. Mike Bittner, JSA Operations Superintendent, Retirement Recognition**

Mayor Butler and Council thanked Lyons for volunteering his time on the EDAC committee. Mayor Butler presented Lyons a plaque for his years of service.

Mayor Butler and Council recognized Mike Bittner for his twenty-three years of employment and contribution to the Joint Sewer Authority with a plaque. Under his guidance, the JSA has received several national recognitions and maintained the plant according to the EPA standards. Staff tried to put a dollar amount to what Bittner has saved the Town over the years; they came up with a dollar amount a little over \$5 million. He kept his eye out for grants available to assist the plant in general maintenance as well as State mandated improvements. Under his guidance the JSA has been an absolutely outstanding plant.

**CITIZEN COMMENTS:**

Frank Gutman, John Taylor, and George Resseguie, Friends of the Eagles Nest Wilderness, presented Council with a framed poster commemorating their 20 year anniversary and also in appreciation for the Town's generous support over the years.

**CONSENT CALENDAR:**

**RICHARDSON MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE MINUTES FROM JULY 22, 2015. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL. (SANDQUIST ABSENT)**

**LIQUOR BOARD:**

**A. Chipotle Mexican Grill – Renewal of H & R Liquor License**

**CAMP MOVED TO APPROVE CHIPOTLE MEXICAN GRILL'S RENEWAL OF HOTEL & RESTAURANT LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (SANDQUIST ABSENT)**

**PUBLIC HEARING**

**B. Sauce on the Blue, LLC dba Sauce on the Blue – Application for new H & R Liquor License, Silverthorne Town Center**

Public Hearing opened.

Mire informed Council that the Preliminary Findings were summarized in the Town Clerk's memo to Council. Notice of the hearing has been properly posted, there has been no previous application denied to the applicant, needs and desires of the neighborhood has been established with a survey, the Police Department has conducted background checks and has no objection to the issuance of the liquor license.

Shervin Rashidi, applicant, reviewed his ownership in the three other of liquor licenses noted in his application.

Mire stated the applicant has provided proof of the need for the liquor license on this premise and that he is qualified to hold the license.

Long asked if residents of the Town Center signed the petition.

Rashidi stated yes, he collected signatures in the coffee shop at the Town Center; he reviewed his plans for Sauce on the Blue. They are very excited about the new establishment.

Richardson stated this unit was always supposed to be a restaurant, glad to see the space filled

Public hearing closed.

**NADALIN MOVED TO APPROVE SAUCE ON THE BLUE, LLC DBA SAUCE ON THE BLUE'S NEW APPLICATION FOR A HOTEL & RESTAURANT LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (SANDQUIST ABSENT)**

**PUBLIC HEARINGS:**

None.

**ACTION ITEMS:**

**A. Preliminary Planned Unit Development (PUD) – Foxfield Townhomes, S.E. Corner of HWY 9 and Bald Eagle Rd., Unplatted parcel – SW ¼, S35 T4S, R78W and Lot 4, Ponds at Blue River**

Lina Lesmes, Senior Planner, presented the applicant's request for a Preliminary PUD to create one Planning Area, which would allow up to 25 residential dwelling units. The PUD Guide lists standards for uses, density, setbacks, lot coverage, height and parking. She reviewed the Foxfield Townhomes PUD submittal history for the 4.19 acres. There is no underlying density for this property; the PUD creates new density for it. She reviewed how the Town Code guides staff on calculating density. She reviewed her staff report and recommended denial.

**Council questions**

Long asked if the density calculation for this project is the same calculation used for other projects.

August 12, 2015

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Lesmes stated yes.

Richardson asked about remaining density, he feels there is a conflict. He read page 44 of the Town Council packet. Staff is saying there is zero density for this development? He feels the unused density from previous projects should not be lost and could be used for this project.

Lesmes stated the paragraph read by Richardson, was the opinion of the Town Attorney in 1994. There is nothing that guarantees an applicant can use relinquished density. As the property is developed and platted, the density that was not used is lost.

Long stated as projects are approved the developers relinquished density.

Richardson feels the paragraph states that density can be transferred.

Lesmes stated that was the Town Attorney's opinion in 1994.

Leidal stated in 1998 the Third Amendment was signed and divided the subdivision into three parcels.

Richardson feels you could argue that point.

Leidal stated there was never ever density assigned to the triangle piece of property. Once property it is platted, the density goes away.

Frank Willis, project investor, reviewed his history in Silverthorne. He has been skiing in Summit County for 40 years, served six years on the Hylands Ranch review committee, he owns Go Blue Construction, property in Willowbrook and a lot in Eagles Nest that he plans to build on. He plans on retiring in Summit County. In 2006-07, they saw this lot for sale and hoped to change the commercial zoning to residential so it would look like The Ponds. They are willing to volunteer a 1% transfer tax for the development. They have been surprised at the opposition to their development; they are trying to look like The Ponds. Is it compatible with their neighbors, yes? He reviewed the number of times the wording "compatible with surrounding neighborhoods" is mentioned in the staff report. They are proposing downzoning, not up zoning. The only disagreement is the number of units, Planning Commission says sixteen but they need a certain number of units to recoup their costs. He requested approval.

Bobby Craig, Arapahoe Architecture, asked why are we being limited on this lot by what has been done on other developments. He read from the 3<sup>rd</sup> Amendment to the Development Plan Agreement: a) the Blue River Property and the Western Property may be developed independently of each other and the remainder of the Property. Understand that the Town stepped in between these two developers so that they wouldn't be stepping on each other's toes as it went through the development process. Further: b) permits and approvals for the development of the Blue River Property and the Western Property shall not be conditioned or otherwise affected by the development or lack of development of the other or of the remainder of the Property or upon the consent of any of the other or of the owners of all or any portion of the remainder of the Property, and c) Blue River, Western and their respective successors and assigns may negotiate and enter into additional amendments to the Development Plan Agreement with Silverthorne with respect to their respective properties, including, without limitation, changes of use or density, without the consent of the other or of the owners of all or any portion of the remainder of the Property.

Craig reviewed the open space and right-a-ways proposed. The density is not designated on the property; it is up to us to decide. Today they are proposing to get rid of three commercial buildings, and are proposing only residential. They are proposing twenty-five units on 4.19 acres. It would be six units per acre, which is normal for Townhomes, and appropriate for this parcel. The fit test, they can fit six buildings with four units on it; it does fit. He showed how the units could be fit on the parcel. They are preserving the wetlands on the site. He does not feel staff is using appropriate comparisons. They prefer to look along the Highway 9 corridor, and pick condominiums and townhomes. He reviewed surrounding townhome developments and their compatibility with them. They feel the density needs to be compatible and fit on

similar acreage. Currently there is 59,000 square feet of commercial density assigned to this development. There should be feathered density; higher density should be closer to the highway. This is urban infill, things have occurred on this property and it's surrounded by infrastructure, it's a great place for higher density. The Comprehensive Plan recommends switching from commercial to residential. Craig asked Council to take a look at comparisons; this is a good project with down zoning. They are here to answer questions.

Council questions.

Public comments.

Darrel Rebkey, 123 Robin Drive, stated he has attended a lot of meetings with the developer. Density is their concern with the project. The layout of the lot impacts how much density it can hold. Twenty-four units were previously denied by Council and Planning Commission. The setbacks have been improved to fifty feet. The berm would be very large and tall and would push up against the Ponds. Density is an issue, net to gross density. This development is not the same as the Ponds. He feels residential is a good fit for the property, not commercial. All you will see on the development is parking, homes and berm. He questioned drainage from the property, it needs more open space.

Steve Zeilee, 136 Robin Drive, stated he bought his property in 2012; they looked at a lot of properties before that. The pond is part of their living area. This development will be very dense. Sixteen units would be appropriate on this land.

Jake Pansing, 116 Allergia Lane, the Ponds HOA board has voted to oppose this application. The density requested is too high. The discussions in April were about a twenty unit development. The applicant would not discuss density at their neighborhood meetings. They submitted an application for twenty-five units without talking to the neighbors. There is a threat to build commercial on the parcel. What is the proper density for this property? There is a PUD request, what is compatible for the parcel; it's not twenty-five units. The applicant wants to argue with Town staff about how to determine density, twenty-five units are inappropriate for this property.

Roy Herring, 146 Robin Drive, went to a vantage point to see all of the property. He tried to visualize putting that many units on the parcel and he could not.

Nancy Herring, 146 Robin Drive, feels it's about character of the area. If you put too many units on this parcel, in it can never be taken back. She knew when she moved in that there would be development on this lot. She doesn't know anything about PUD's. They have space in the Ponds and it cannot be compared to what is being proposed on this lot. She feels it is quality verse quantity. She asked that Council keep the character of the area.

Jim Schlie, 103 Allegra Lane, lives here four or five months a year. As fourteen year owners, they are concerned about quality of life, balance, heights and density. As owners we are concerned about visual and auditory senses will be affected by this development. As a retired military officer and an organizational behaviorist he has worked on cramming too much into little space. He feels balance and quality of life be taken into consideration. The Ponds and Eagles Nest HOA board has done due diligence on this project.

Dave Raymond 111 Allegra Lane, agrees with prior comments. There have not been any discussions about how horrible the development is, they are more positive. Density, what is it? They need to have twenty-five units on this development to make it work. He has been an investor and sometimes investments don't workout.

Marty Watson 174 Allegra, hiked up to Buffalo and looked down at the Town. He used google map to cut and paste the same size units on the lots on the property and couldn't do it. The problem with this property is, it is what is left and they are trying to put twenty-five units on it. He doesn't understand the shape of the buildings. This presentation doesn't accommodate drainage, it goes into the town pond. There are hydrological concerns. He urged Council to

deny this proposal, they know something will be built there, do something smart and compatible.

Janet Humphries, 114 Robin Drive, she has two issues, setbacks and the thirty-five foot height. Vince Boehning, 190 Robin Dr., echoed all the other comments, he agrees with the Ponds HOA and their recommendations.

Debbie Stratton, 156 & 144 Robin Drive, is a full time resident and she feels there is a quality of life issue. Density is an issue. She wants her new neighbors to have the same quality of life she has.

George Ressguie, 1770 Red Hawk Road, President of Eagles Nest HOA, they have seven hundred eighty-three properties in their subdivision; The Ponds is in their subdivision. He agrees with previous comments about zoning and density. The key for us is that this development is an entry way to the east entry. Grading is an issue and will increase height. The layout and building size should be compatible to the Ponds. They would like to see lower density, this proposal doesn't fit. Once it becomes a part of Eagles Nest this project will be under their Design Review Committee. This project has been before the public eight times. This should be denied, hand it back and ask for a meaningful plan.

Bob Long, 126 Robin Drive, he knows the developer is in it to make money but he is in it not to lose money. Sixteen units would be plenty.

Robert Eddington, 110 Robin Drive, is retired military and is familiar with building height. He has extensive surveying equipment that he uses occasionally. When they bought their unit, their entire subdivision was in repair and restructure. During that time there was a mound of dirt on the south end of the property that was thirty-five feet high and you can't see anything. He agrees with what was said about density.

John Taylor, 1712 Red Hawk Road, agrees with the other comments. Every property has its unique qualities, there is a lot of asphalt on the property. There is not any room for a picnic table.

#### Applicant

Craig, Arapahoe Architectures, replied to public comments.

Willis stated they have been talking to Tim Crane about being the contractor on the project and he will put out a nice product. Crane's development behind the Ponds has elevated their property values and this will be the same kind of product.

#### Council comments.

Long appreciates all the comments tonight. She has served on Planning Commission and/or Town Councils since 1997 and she has seen this project before. She had staff pull the minutes from when the Ponds development was presented to Council and the same comments were made against that project. She appreciates Craig and the work he has done at Angler Mtn and is glad Mr. Willis is part of the community. This property is what is left over from the other developments. There is nothing original about this site, it is difficult. Personally she thinks maybe commercial might be a good fit for the site. Our standard calculations are the same one being used for all other projects and she relies on staff for that information. She goes back to the standards used by the Town; there is not a lot of common area for the project. She cannot support this.

Nadalín spent a lot of time reviewing at this project. She echoes Peggy's comments. We cannot use different density calculations for different properties. She would love to see something located here, just not at this density. She cannot support this project.

Camp is not sure what the right number of units is for the parcel but twenty-five units is too many. It just doesn't fit.

Fowler asked about any standard density conversions from commercial to residential.

Lesmes stated the Town doesn't have a commercial to residential conversion.

Fowler has seen this project before and the density is less than the Ponds. We know the developer and the builder, deal with the devil you know. He supports this project, again.

Richardson supports this project now and in the past. The applicant has done a good job; he started high with the density and moved it down. The question of neighbors looking at Foxfield is the same question for the folks on Allegra Lane looking west. A recreational area has not been addressed yet, there will room. He supports this project.

Butler has seen this project before and he did not support it in the past. Sympathizes with the applicant about the shape and size of the lot, he feels commercial would be a disaster. It is in the revised Comprehensive Plan and the desire is for residential. Unfortunately there has not been any agreement. Eagles Nest HOA is reasonable, informed group of people. The remaining parcel is literally the victim of how things were developed over time. He asked the developer to take one more look at this and try to get agreement on it. He has to respect those people already in place. He hopes there can be a good compromise and discussion about density.

**LONG MOVED TO DENY THE FOXFIELD TOWNHOMES PRELIMINARY PUD FOR THE REASONS SET FORTH IN THE STAFF REPORT DATED AUGUST 6, 2015, AND BASED ON THE PLANNING COMMISSION RECOMMENDED FINDINGS. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (SANDQUIST ABSENT) LONG, NADALIN, AND CAMP (FOWLER, AND RICHARDSON NAY)**

**B. Ordinance 2015-11; an Ordinance Amending Silverthorne Town Code Chapter 4, Article VI, Site Plan, Concerning the Town Core Design District – 1<sup>st</sup> Reading**

Lina Lesmes, Senior Planner, presented Ordinance 2015-11, proposed amendments to the Town Core Periphery District Design Standards, updating the language and format to introduce new standards and guidelines and ensuring the consistency with the 2014 Town of Silverthorne Comprehensive Plan. She reviewed her staff report and recommended approval.

Butler expressed concerns about landscaping growing out and blocking driveways and views. Long asked about the Green Village in the factory stores being included in this district. The Factory Stores are in three different design districts.

Leidal stated the reason had to do with the proximity of the buildings, types of uses, building height, and adjacent properties. There needs to be a step down to residential.

Richardson asked about parking in this district and Brian Avenue being a thoroughfare.

**CAMP MOVED TO APPROVE ORDINANCE 2015-11 AN ORDINANCE AMENDING CHAPTER 4, ARTICLE VI, SECTION 4-6-2(h), DESIGN DISTRICTS TO AMEND AND UPDATE THE TOWN CORE PERIPHERY DISTRICT DESIGN STANDARDS AND GUIDELINES AND ADOPT THEM AS REGULATION, ON FIRST READING. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (SANDQUIST ABSENT)**

**C. Craig Realty Group – Silverthorne, LLC, (Starbucks) Enhanced Sales Tax Incentive Program (ESTIP) Agreement**

Mark Leidal, Assistant Town Manager, presented Craig Realty Group's request to be considered for participation in the Town's Enhanced Sales Tax Incentive Program. He reviewed his staff report and recommended approval.

Long asked about Craig Realty Group applying for the ESTIP agreement, not Starbucks.

Leidal stated the landlord or the tenant can apply.

Richardson asked about access to the residential units.

Leidal reviewed where all the easements are being moved.

Nadalín asked about the \$2,000 dedicated from the amount of sales tax to be reimbursed in a given year.

Butler feels this is a fair gesture for Craig Realty Group

**CAMP MOVED TO APPROVE THE ENHANCED SALES TAX INCENTIVE PROGRAM AGREEMENT WITH CRAIG REALTY GROUP – SILVERTHORNE, LLC AS PRESENTED. MOTION SECONDED. MOTION APPROVED BY COUNCIL PRESENT. (SANDQUIST ABSENT)**

**DISCUSSION ITEMS:**

None.

**INFORMATIONAL:**

A. Planning Commission Meeting Minutes, August 4, 2015

**CAMP MOVED TO ADJOURN AT 8:40 P.M. MOTION SECONDED. MEETING ADJOURNED.**

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**BRUCE BUTLER, MAYOR**

**ATTEST**

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**MICHELE MILLER, TOWN CLERK**

These minutes are only a summary of the proceedings of the meeting. They are not intended to be comprehensive or to include each statement, person speaking or to portray with complete accuracy. The most accurate record of the meeting is the videotape of the meeting, maintained in the office of the Town Clerk.

Town of Silverthorne  
Council Agenda Memorandum

**TO:** Mayor and Town Council  
**THRU :** Ryan Hyland, Town Manager  
**FROM:** Michele Miller, MMC, Town Clerk   
**DATE:** August 20, 2015 for meeting of August 26, 2015  
**SUBJECT:** Liquor license renewal for Local Authority Consideration

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**SUMMARY:**

The Liquor Board is asked to approve the liquor license renewal for the Elk's Lodge and Kum & Go.

**BACKGROUND:**

**A. Summit County BPOE #2561 (aka Elk's Lodge) – Renewal of Club Liquor license**

The applicant has submitted a renewal application for the Elk's Lodge. The background investigation completed by the Police Department is attached. The Police Department has verified that the all the servers have completed an Alcohol Education Class. The Police Department recommends renewal of the liquor license.

**B. Kum & Go #907 – Renewal of 3.2% Beer Off Premise Liquor License**

The applicant has submitted a renewal application for Kum & Go. The background investigation completed by the Police Department is attached. The Police Department has verified that the all the employees have completed the "We Card Program" provided by the Kum & Go corporate office. The Police Department recommends renewal of the liquor license.

**DISCUSSION:**

Financial Implications: Each individual liquor license applicant is required to submit both local licensing fees and state licensing fees as set forth by the Colorado Liquor Enforcement Division. These fees are submitted with the application materials.

**STAFF RECOMMENDATION:**

Staff recommends approving the renewal application. Please contact the Town Clerk's office with any questions or if you want to view more detail from the liquor application.

**PROPOSED MOTION:**

**I MOVE TO APPROVE**

- **SUMMIT COUNTY BPOE #2561 – RENEWAL OF CLUB LIQUOR LICENSE**
- **KUM & GO #907 – RENEWAL OF 3.2% BEER OFF PREMISE LIQUOR LICENSE**

**ATTACHMENTS:**

Liquor license renewal application and Police Department memo.

**MANAGERS COMMENTS:**

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601 Center Circle • P.O. Box 1167 • Silverthorne, CO 80498  
(970) 262-7320 • Fax (970) 262-7315

**DATE:** August 20, 2015  
**TO:** Michele Miller, MMC, Town Clerk  
**FROM:** Officer Anne Baldwin  
**SUBJECT:** Kum & Go #907 – Renewal of Liquor License

Since their last application, Kum & Go #907 has not had any alcohol related incidents on or around their property.

As a TIPS certified instructor I have verified all staff have passed the, We Card program, provided by the Kum & Go corporate office, it satisfies the Town Code requirement for an educational liquor seminar.

Based on the background information provided to the Silverthorne Police Department, we have no objections to renewing the liquor license.

Reviewed by

Mark Hanschmidt, Chief

Date: 08-20-15

**LIQUOR OR 3.2 BEER LICENSE  
 RENEWAL APPLICATION**

Fees Due	
Renewal Fee	\$96.25
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid	

**KUM & GO #907**  
 6400 WESTOWN PKWY  
 WEST DES MONIES IA 50266-7709

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name <b>KUM &amp; GO LC</b>		DBA <b>KUM &amp; GO #907</b>		
Liquor License # <b>12404240019</b>	License Type <b>3.2% Beer Off Premises (city)</b>	Sales Tax License # <b>12404240019</b>	Expiration Date <b>9/13/2015</b>	Due Date <b>7/30/2015</b>
Street Address <b>101 RUBY RANCH RD SILVERTHORNE CO 80498</b>				Phone Number
Mailing Address <b>6400 WESTOWN PKWY WEST DES MONIES IA 50266-7709</b>				
Operating Manager <i>Nikel Johnson</i>	Date of Birth <i>8/22/78</i>	Home Address <i>2414 Blue Bird Dr Georgetown CO 80440</i>		Phone Number <i>970 468-0588</i>

- Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease \_\_\_\_\_
- Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes; along with all supporting documentation and fees.
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  YES  NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO
- SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit - Restriction on Public Benefits (available online or by calling 303-205-2300) and attach a copy of their driver's license, state-issued ID or valid passport.

**AFFIRMATION & CONSENT**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business <i>Craig Bergstrom</i>	Title <i>CFO</i>
Signature <i>Craig Bergstrom</i>	Date <i>9/17/2015</i>

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For	Date
Signature	Title
	Attest



601 Center Circle • P.O. Box 1167 • Silverthorne, CO 80498  
(970) 262-7320 • Fax (970) 262-7315

**DATE:** August 12, 2015  
**TO:** Michele Miller  
**FROM:** Officer Anne Baldwin  
**SUBJECT:** Background check for club license application, Summit County BPOE #2561 (Elks Lodge)

Summit County BPOE/Elks Lodge has not had any liquor-related incidents this past year. All of their liquor-serving volunteers are TIPS certified.

Based on the background information of the Silverthorne Police Department, we do not have any objections to the approval of this renewal application.

Reviewed by

Chief of Police  
Mark Hanschmidt

08-12-15  
Date

**LIQUOR OR 3.2 BEER LICENSE  
 RENEWAL APPLICATION**

Fees Due	
Renewal Fee	\$308.75
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
<b>Amount Due/Paid</b>	

SUMMIT COUNTY BPOE #2561  
 PO BOX 515  
 SILVERTHORNE CO 80498-0515

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name SUMMIT COUNTY BPOE #2561		DBA SUMMIT COUNTY BPOE #2561		
Liquor License # 05168800001	License Type Club License (city)	Sales Tax License # 05168800001	Expiration Date 9/14/2015	Due Date 7/31/2015
Street Address 1321 BLUE RIVER PKY SILVERTHORNE CO 80498-9999				Phone Number 970-468-2561
Mailing Address PO BOX 515 SILVERTHORNE CO 80498-0515				
Operating Manager ROBERT KNORA	Date of Birth 07/02/59	Home Address 1215 MESA DR SILVERTHORNE, 80498		Phone Number 970-485-9247

- Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease \_\_\_\_\_
- Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  YES  NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO
- SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and attach a copy of their driver's license, state-issued ID or valid passport.

**AFFIRMATION & CONSENT**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business ROBERT E. KNORA	Title MANAGER
Signature <i>Robert E. Knora</i>	Date 7/30/15

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For	Date
Signature	Title
	Attest

Town of Silverthorne  
Council Agenda Memorandum

**TO:** Mayor and Town Council  
**THRU:** Ryan Hyland, Town Manager  
**FROM:** Michele Miller, MMC, Town Clerk *MM*  
**DATE:** August 20, 2015 for meeting of August 26, 2015  
**SUBJECT:** Liquor License for Local Authority Consideration

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**SUMMARY:** The Liquor Board is asked to grant a liquor license transfer to GMS2, Inc. & 7-Eleven, Inc.

**BACKGROUND:**

**A. GMS2, Inc. & 7-eleven, Inc. dba 7-eleven Store 23963A – Transfer of Retail 3.2% Beer Off-Premise Liquor License**

The applicant submitted a complete transfer application for GMS2, Inc. & 7-eleven, Inc. dba 7-eleven Store 23963A, August 3, 2015. They are requesting a temporary permit be granted by the liquor authority on September 1, 2105 to allow the owner to continue business under the previous liquor license, 7-Eleven Store #23963, for 120 days or until the transfer was complete. The employees have a corporate training program that will be verified by the Police Department, again. The employees and owner have 60 days to become TIP's certified or the equivalent after the issuance of the liquor license. The applicant has a Master File with the State of Colorado, so there is no background investigation done by the Police Department.

**DISCUSSION:**

Financial Implications: Each individual liquor license applicant is required to submit both local licensing fees and state licensing fees as set forth by the Colorado Liquor Enforcement division. These fees are submitted with the application materials.

**STAFF RECOMMENDATION:** Staff recommends approval of the transfer. Please contact the Town Clerk's office with any questions or if you want to view more detail from the liquor application.

**PROPOSED MOTION:**

**I MOVE TO APPROVE GMS2, INC. & 7-ELEVEN, INC. DBA 7-ELEVEN STORE 23963A – TRANSFER OF RETAIL 3.2% BEER OFF-PREMISE LIQUOR LICENSE.**

**ATTACHMENTS:** Liquor license renewal application and Police Department Memo.

**MANAGERS COMMENTS:**

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TOWN OF SILVERTHORNE

TEMPORARY LIQUOR LICENSE PERMIT

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Fee: \$100

**NOTE:** This Temporary Permit is issued only to a transferee of any class of liquor license issued by the State of Colorado. This permit authorizes the transferee to continue selling alcoholic beverages as permitted under the permanent license during the period in which an application to transfer the ownership of the license is pending. This license is only issued to persons who have filed the Transfer of Ownership Application with the Town for the purchase of a valid liquor license.

Name of Applicant: GMS2, Inc. & 7-Eleven, Inc.

Mailing: PO Box 219088  
Dallas, Texas 75221

Physical Location: 201 Blue River Parkway, Silverthorne, Co

Name of existing license to be transferred: 7-Eleven Store #23963

Physical address of transfer location: 201 Blue River Parkway

This application must be filed no later than thirty (30) days after filing of the application for transfer of ownership and shall be accompanied by a temporary permit fee of \$100.

Board meetings are held the second and fourth Wednesdays of every month. Your application should be submitted to the Local Licensing Authority at least one day prior to that scheduled meeting in order to provide proper notification to you on it's approval within the three day period per C.R.S. 12-47-106.5 IV (c).

If granted, your temporary permit is valid for 120 days or until your transfer of the existing, valid license is granted. If good cause is demonstrated to the Local Licensing Authority, this time period can be extended for an additional 60 days.



601 Center Circle • P.O. Box 1167 • Silverthorne, CO 80498  
(970) 262-7320 • Fax (970) 262-7315

**DATE:** August 20, 2015  
**TO:** Michele Miller  
**FROM:** Officer A.J Futro  
**SUBJECT:** Background check for a liquor license transfer  
GMS2, Inc. & 7-Eleven dba 7-Eleven Store #23963A

GMS2, Inc. & 7-Eleven is requesting a transfer of the Retail 3.2% Beer Off Premise Liquor License at 201 Blue River Parkway.

GMS2 has a Master File with the State of Colorado, so we do not conduct any additional background check on the applicant. We verified that all employees were TIPS certified at their last renewal and will do so again.

Based on the background information on the Silverthorne Police Department, we have no objections to the approval of this Liquor License transfer

Reviewed by

Chief of Police  
Mark Hanschmidt

08-20-15  
Date

## Colorado Fermented Malt Beverage (3.2% Beer) License Application

New License                     
  New-Concurrent                     
  Transfer of Ownership

- All answers must be printed in black ink or typewritten
- Applicant must check the appropriate box(es)
- Local license fee \$ 3.75
- Applicant should obtain a copy of the Colorado Liquor and Beer Code: [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor)

1. Applicant is applying as a/an

Corporation                     
  Partnership (includes Limited Liability and Husband and Wife Partnerships)  
 Individual                     
  Limited Liability Company                     
  Association or Other **JOINT LICENSE**

2. Applicant(s) If an LLC, name of LLC; if partnership, at least 2 partners' names; if corporation, name of corporation

GMS2, Inc. & 7-Eleven, Inc.	FEIN 43-011775
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2a. Trade Name of Establishment (DBA) 7-Eleven Store 23963A	State Sales Tax No. 29830445	Business Telephone 970-468-8537
----------------------------------------------------------------	---------------------------------	------------------------------------

3. Address of Premises (specify exact location of premises)  
 201 Blue River Parkway

City Silverthorne	County Summit	State CO	ZIP Code 80498
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4. Mailing Address (Number and Street) Attn: 7-Eleven Licensing, PO Box 219088	City or Town Dallas	State TX	ZIP Code 75221
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5. Email Address  
 cheryl.swinford@7-11.com

6. If the premises currently has a liquor or beer license, you MUST answer the following questions

Present Trade Name of Establishment (DBA) 7-Eleven Store 23963	Present State License No. 24111110061	Present Class of License 3.2% B.O.P.	Present Expiration Date 12/14/15
-------------------------------------------------------------------	------------------------------------------	-----------------------------------------	-------------------------------------

Section A      Nonrefundable Application Fees	Section B      3.2% Beer License Fees
<input type="checkbox"/> Application Fee for New License                      \$600.00	<input type="checkbox"/> Retail 3.2% Beer On-Premises (City)                      \$96.25
<input type="checkbox"/> Application Fee for New License - w/Concurrent Review                      \$700.00	<input type="checkbox"/> Retail 3.2% Beer On-Premises (County)                      \$117.50
<input checked="" type="checkbox"/> Application Fee for Transfer                      \$600.00	<input checked="" type="checkbox"/> Retail 3.2% Beer Off-Premises (City)                      \$96.25
	<input type="checkbox"/> Retail 3.2% Beer Off-Premises (County)                      \$117.50
	<input type="checkbox"/> Retail 3.2% Beer On/Off Premises (City)                      \$96.25
	<input type="checkbox"/> Retail 3.2% Beer On/Off Premises (County)                      \$117.50
	<input type="checkbox"/> Master File Location Fee ..... \$25.00 x _____ To _____
	<input type="checkbox"/> Master File Background ..... \$250.00 x _____ Total _____

Questions? Visit [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor) for more information  
 Do Not Write In This Space - For Department Of Revenue Use Only

### Liability Information

License Account Number	Liability Date:	License Issued Through: (Expiration Date)	<b>Total</b>
			<b>\$</b>

## Application Documents Checklist and Worksheet

**Instructions:** This check list should be utilized to assist applicants with filing all required documents for licensure. All documents must be properly signed and correspond with the name of the applicant exactly. All documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable.

**Questions? Visit:** [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor) for more information.

<b>Items Submitted, Please Check all Appropriate Boxes Completed or Documents Submitted</b>	
<b>I.</b>	<b>Applicant Information</b> <input checked="" type="checkbox"/> A. Applicant/Licensee identified <input checked="" type="checkbox"/> B. State sales tax license number listed or applied for at time of application <input checked="" type="checkbox"/> C. License type or other transaction identified <input checked="" type="checkbox"/> D. Submit originals to local authority <input checked="" type="checkbox"/> E. Additional information may be required by the local licensing authority
<b>II.</b>	<b>Diagram of the Premises</b> <input checked="" type="checkbox"/> A. No larger than 8 1/2" X 11" <input checked="" type="checkbox"/> B. Dimensions included (does not have to be to scale). Exterior areas should show control (fences, walls, etc.) <input type="checkbox"/> C. Separate diagram for each floor (if multiple levels) <input checked="" type="checkbox"/> D. Bold/Outlined licensed premises
<b>III.</b>	<b>Proof of Property Possession (One Year Needed)</b> <input type="checkbox"/> A. Deed in name of the Applicant ONLY (or) (matching question #2) date stamped/filed with County Clerk <input checked="" type="checkbox"/> B. Lease in the name of the Applicant ONLY (matching question #2) 7-Eleven, Inc. <input type="checkbox"/> C. Lease Assignment in the name of the Applicant (ONLY) with proper consent from the Landlord and acceptance by the Applicant <input checked="" type="checkbox"/> D. Other Agreement if not deed or lease (attach prior lease to show right to assumption) Franchise Agreement
<b>IV.</b>	<b>Background Information and Financial Documents</b> <input checked="" type="checkbox"/> A. Individual History Record(s) (Form DR 8404-I) <input checked="" type="checkbox"/> B. Fingerprints taken and submitted to local authority. (State authority for master file applicants.) <input checked="" type="checkbox"/> C. Purchase agreement, stock transfer agreement, and or authorization to transfer license <input type="checkbox"/> D. List of all notes and loans.
<b>V.</b>	<b>Sole Proprietor/Husband and Wife Partnership</b> <input type="checkbox"/> A. Form DR 4679 <input type="checkbox"/> B. Copy of State Issued Driver's License or Identification Card for each Applicant
<b>VI.</b>	<b>Corporate Applicant Information (If Applicable)</b> <input checked="" type="checkbox"/> A. Certificate of Incorporation (and/or) <input checked="" type="checkbox"/> B. Certificate of Good Standing <input checked="" type="checkbox"/> C. Certificate of Authorization if foreign corporation <input checked="" type="checkbox"/> D. List of officers, directors and stockholders of parent corporation (designate one person as "principal officer")
<b>VII.</b>	<b>Partnership Applicant Information (If Applicable)</b> <input type="checkbox"/> A. Partnership Agreement (general or limited). Not needed if husband and wife <input type="checkbox"/> B. Certificate of Good Standing (if formed after 2009)
<b>VIII.</b>	<b>Limited Liability Company Applicant Information (If Applicable)</b> <input type="checkbox"/> A. Copy of articles of organization (date stamped by Colorado Secretary of State's Office) <input type="checkbox"/> B. Certificate of Good Standing if organized more than two years <input type="checkbox"/> C. Copy of operating agreement <input type="checkbox"/> D. Certificate of Authority (if foreign company)

7. Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years?	Yes	No		
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
8. Has the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager ever (in Colorado or any other state):				
(a) been denied an alcohol beverage license?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
(b) had an alcohol beverage license suspended or revoked?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
(c) had interest in another entity that had an alcohol beverage license suspended or revoked?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
If you answered yes to 8a, b or c, explain in detail on a separate sheet	Please see attached			
9. Has a 3.2 beer license for the premises to be licensed been denied within the preceding one year? If "yes," explain in detail.	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
10. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current or former financial interest in said business including any loans to or from a licensee.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
11. Does the Applicant, as listed on line 2 of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement?	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/> Ownership <input type="checkbox"/> Lease <input checked="" type="checkbox"/> Other (Explain in Detail) <u>FRANCHISE AGREEMENT</u>				
a. If leased, list name of landlord and tenant, and date of expiration, EXACTLY as they appear on the lease:				
Landlord N/A	Tenant N/A	Expires N/A		
b. Is a percentage of alcohol sales included as compensation to the landlord? If yes complete question 12.	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
c. Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".				
12. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business. Attach a separate sheet if necessary.				
Last Name Sidhu, Inc.*	First Name N/A	Date of Birth N/A	FEIN or SSN N/A	Interest None
Last Name *Gurpreet Sidhu, Sole officer, dir, shareholder	First Name	Date of Birth	FEIN or SSN	Interest
Attach copies of all notes and security instruments, and any written agreement, or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.				
<b>13. Name of Manager for all on and on/off applicants.</b>				
Last Name N/A - off premises applicant	First Name N/A	Date of Birth N/A		
14. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number. <span style="float: right;">N/A</span>				
15. <b>Tax Distraint Information.</b> Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue? <span style="float: right;"><input type="checkbox"/> <input checked="" type="checkbox"/></span>				
If yes, provide an explanation and include copies of any payment agreements.				

16. \*\*If applicant is a corporation, partnership, association or limited liability company, applicant must list all officers, directors, general partners, and managing members. In addition, applicant must list any stockholders, partners, or members with ownership of 10% of more in the applicant. All persons listed below must also attach form DR8404-I (Individual History Record), and submit fingerprint cards to their local licensing authority.

Name Gurpreet Sidhu	Home Address, City & State 1234 Main St., Thornton, CO 80602	Date of Birth	Position Dir. Pres Secy Treas	% Owned 100%
Name	Home Address, City & State	Date of Birth	Position	% Owned
Name 7-Eleven, Inc.*	Home Address, City & State 1722 Routh St. #1000, Dallas, TX 75201	Date of Birth N/A	Position Franchisor	% Owned 100%
Name	Home Address, City & State	Date of Birth	Position	% Owned
Name *see attached - state master file	Home Address, City & State	Date of Birth	Position	% Owned

\*\* Limited Liability Companies and Partnerships - 100% of ownership must be accounted for on question #16  
 \*\* Corporations - The President, Vice-President, Secretary and Treasurer must be accounted for on question #16  
 (Include ownership percentage if applicable)

**Oath of Applicant**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature 	Printed Name and Title Gurpreet Sidhu, Pres., GMS2, Inc.	Date
-----------------------------------------------------------------------------------------------------------	-------------------------------------------------------------	------

**Report and Approval of Local Licensing Authority (City/County)**

Date application filed with local authority	Date of local authority hearing (for new license applicants cannot be less than 30 days from date of application 12-47-311 (1) C.R.S.)
---------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------

Each person required to file DR 8404-I has

- Been fingerprinted
- Been subject to background investigation, including NCIC/CCIC check for outstanding warrants

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with, and aware of, liquor code provisions affecting their class of license.

(Check One)

- Date of Inspection or Anticipated Date \_\_\_\_\_
- Upon approval of state licensing authority

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 12, Article 46 or 47, C.R.S. **Therefore, this application is approved.**

Local Licensing Authority for		Telephone Number	<input type="checkbox"/> Town, City <input type="checkbox"/> County
Signature	Printed Name	Title	Date
Signature (attest)	Printed Name	Title	Date

DR 8404-I (03/13/15)  
 COLORADO DEPARTMENT OF REVENUE  
 Liquor Enforcement Division  
 (303) 205-2300

## Individual History Record

To be completed by the following persons, as applicable: sole proprietors; general partners regardless of percentage ownership, and limited partners owning 10% or more of the partnership; all principal officers of a corporation, all directors of a corporation, and any stockholder of a corporation owning 10% or more of the outstanding stock; managing members or officers of a limited liability company, and members owning 10% or more of the company; and any intended registered manager of Hotel and Restaurant or Tavern class of retail license

<b>Notice:</b> This individual history record requires information that is necessary for the licensing investigation or inquiry. All questions must be answered in their entirety or the license application may be delayed or denied. If a question is not applicable, please indicate so by "N/A". <b>Any deliberate misrepresentation or material omission may jeopardize the license application.</b> (Please attach a separate sheet if necessary to enable you to answer questions completely)				
1. Name of Business GMS2, Inc. & 7-Eleven, Inc. dba 7-Eleven Store 23963A		Home Phone Number 303-886-2175	Cellular Number 303-886-2175	
2. Your Full Name (last, first, middle) Sidhu, Gurpreet		3. List any other names you have used Gary Sidhu		
4. Mailing address (if different from residence) Same as residence		Email Address garysidhu05@yahoo.com		
5. List current residence address. Include any previous addresses within the last five years. (Attach separate sheet if necessary)				
<b>Street and Number</b>	<b>City, State, Zip</b>	<b>From</b>	<b>To</b>	
4500 E. 10th Ave	Thornton, CO 80602	2010	Present	
11200 E. 1st Ave	Thornton, CO 80233	1999	2010	
6. List all employment within the last five years. Include any self-employment. (Attach separate sheet if necessary)				
<b>Name of Employer or Business</b>	<b>Address (Street, Number, City, State, Zip)</b>	<b>Position Held</b>	<b>From</b>	<b>To</b>
Please see attached list				
7. List the name(s) of relatives working in or holding a financial interest in the Colorado alcohol beverage industry.				
<b>Name of Relative</b>	<b>Relationship to You</b>	<b>Position Held</b>	<b>Name of Licensee</b>	
Mandeep Sidhu	Spouse	Co-franchisee	GMS, Inc. (7-11 #29420A)	
Aneet Manjal	Sister	Franchisee	Manjal, Inc. (7-11 #25907A)	
8. Have you ever applied for, held, or had an interest in a Colorado Liquor or Beer License, or loaned money, furniture, fixtures, equipment or inventory to any licensee? (If yes, answer in detail.)				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Please see attached				
9. Have you ever received a violation notice, suspension, or revocation for a liquor law violation, or have you applied for or been denied a liquor or beer license anywhere in the United States? (If yes, explain in detail.)				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

10. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? (If yes, explain in detail.)  Yes  No

Please see attached

11. Are you currently under probation (supervised or unsupervised), parole, or completing the requirements of a deferred sentence? (If yes, explain in detail.)  Yes  No

Denver: Pled guilty to DWAI in 5/15 - rec'd 12 mos. supervised probation

12. Have you ever had any professional license suspended, revoked, or denied? (If yes, explain in detail.)  Yes  No

**Personal and Financial Information**

Unless otherwise provided by law, the personal information required in question #13 will be treated as confidential. The personal information required in question #13 is solely for identification purposes.

13a. Date of Birth 09/08/78 b. Social Security Number 000-00-0000 c. Place of Birth Ludhiana, Punjab, India d. U.S. Citizen  Yes  No

e. If Naturalized, state where Utah f. When 03/11/96 g. Name of District Court Salt Lake City, UT

h. Naturalization Certificate Number A-123456 i. Date of Certification 10/1/96 j. If an Alien, Give Alien's Registration Card Number N/A k. Permanent Residence Card Number N/A

l. Height 5'9" m. Weight 160 n. Hair Color Black o. Eye Color Brown p. Gender Male q. Race Asian r. Do you have a current Driver's License/ID? If so, give number and state.  Yes  No # 123456789 State CO

**14. Financial Information.**

a. Total purchase price or investment being made by the applying entity, corporation, partnership, limited liability company, other. \$ 1,000,000

b. List the total amount of the personal investment, made by the person listed on question #2, in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases or fees paid. \$ 130,000

\* If corporate investment only please skip to and complete section (d)  
 \*\* Section b should reflect the total of sections c and e

c. Provide details of the personal investment described in 14b. You must account for all of the sources of this investment. (Attach a separate sheet if needed)

Type: Cash, Services or Equipment	Account Type	Bank Name	Amount
Cash	Checking	Wells Fargo	\$ 20,000

d. Provide details of the corporate investment described in 14 b. You must account for all of the sources of this investment. (Attach a separate sheet if needed)

Type: Cash, Services or Equipment	Loans	Account Type	Bank Name	Amount
Cash/Sidhu, Inc.*	No	Line of Credit	Wells Fargo	\$ 40,000
*Gurpreet Sidhu, sole dir. officer & shareholder				

e. Loan Information (Attach copies of all notes or loans)

Name of Lender	Address	Term	Security	Amount
7-Eleven, Inc.	1722 Routh St. #1000 Dallas, TX 75201	36 Months	Franchise	\$ 500,000

**Oath of Applicant**

I declare under penalty of perjury that this application and all attachments are true, correct, and complete to the best of my knowledge.

Authorized Signature G. Sidhu Print Signature Gurpreet Sidhu Title President, GMS2, Inc. Date 9-16-15

## AFFIDAVIT OF TRANSFER AND STATEMENT OF COMPLIANCE

Pursuant to the requirements of 12-47-303(3)(b), Colorado Revised Statutes, Licensee hereby states that all accounts for alcohol beverages sold to the Applicant are:

- Paid in full. There are no outstanding accounts with any Colorado Wholesalers.
- Licensee hereby certifies that the following is a complete list of accounts for alcohol beverages that are unpaid:

Licensee and Applicant agree that all accounts will be paid for from the proceeds at closing by the:  Licensee  Applicant

- Licensee unavailable to certify disposition of accounts for alcohol beverages - Inventory list attached. Transfer by operation of law - Regulation 47-304.
- Applicant will assume full responsibility for payment of the outstanding accounts as listed above.
- No alcohol beverage inventory transferred or sold.

Licensee hereby authorizes the transfer of its Colorado Retail Liquor License to the Applicant, its agent, or a company, corporation, partnership or other business entity to be formed by the Applicant.

Dated this 16th day of July, 20 15.

**Seller:**

7-Eleven, Inc.

License 24111110061

Licensee & License Number

7-Eleven Store 23963

Trade name

*Lori Weiss*

Signature

Market Manager

Position

Lori Weiss

Print Name

**Buyer:**

GMS2, Inc. & 7-Eleven, Inc.

Applicant

7-Eleven Store 23963A

Trade name

*G. Sidhu*

Signature

President, GMS2, Inc.

Position

Gurpreet Sidhu

Print Name

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE**

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

**7-ELEVEN, INC.**

is an entity formed or registered under the law of **Texas** has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19871057047.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 07/23/2015 that have been posted, and by documents delivered to this office electronically through 07/24/2015 @ 14:24:54.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 07/24/2015 @ 14:24:54 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 9256653.



Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*

*Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us/bi-/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click Business Center and select "Frequently Asked Questions."*

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE**

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

**GMS2, Inc.**

is a **Corporation** formed or registered on 07/01/2015 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20151434086.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 07/23/2015 that have been posted, and by documents delivered to this office electronically through 07/24/2015 @ 14:24:23.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 07/24/2015 @ 14:24:23 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 9256652.



A handwritten signature in cursive script that reads "Wayne W. Williams".

Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*

*Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us/bi/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click Business Center and select "Frequently Asked Questions."*

**ATTACHMENT TO INDIVIDUAL HISTORY RECORD  
GURPREET ("GARY") SIDHU  
RE: QUESTION #8/INTERESTS**

**8. Additional Interests:**

Gurpreet Sidhu, sole officer and director of MSidhu, Inc, the franchisee and joint applicant, currently has an interest (as franchisee and joint licensee) in the 3.2% fermented malt beverages licenses held by the following:

<b>Licensee</b>	<b>Trade Name</b>	<b>Address</b>	<b>From</b>	<b>To</b>
Sidhu, Inc. & 7-Eleven, Inc.	7-Eleven Store 29151A	2299 W. Alameda Ave. Denver, CO 80223	07/06	Current
Shawn, Inc. & 7-Eleven, Inc.	7-Eleven Store 34036A	6990 Church Ranch Rd. Westminster, CO 80904	09/08	Current
GMS, Inc. & 7-Eleven, Inc.	7-Eleven Store 29420A	1301 W. 38 <sup>th</sup> Ave. Denver, CO 80211	09/09	Current
Bojo, Inc. & 7-Eleven, Inc.	7-Eleven Store 23603A	105 Knox Ct. Denver, CO 80219	09/10	Current
G Sidhu, Inc. & 7-Eleven, Inc.	7-Eleven Store 35336A	12802 Lowell Blvd. Broomfield, CO 80020	12/11	Current
Anoob, Inc. & 7-Eleven, Inc.	7-Eleven Store 39296A	8820 Colorado Blvd. Thornton, CO 80229	05/14	Current

Gurpreet Sidhu currently has an interest in a 3.2% Beer Off Premises license pending with the Town of Breckenridge for MSidhu, Inc. & 7-Eleven, Inc. dba 7-Eleven Store 32267B, 10992 State Hwy 9, Breckenridge. CO80424

**ATTACHMENT TO INDIVIDUAL HISTORY RECORD  
GURPREET ("GARY") SIDHU  
RE: QUESTION #6**

**6. Employment within the last five years:**

<b>Name of Employer</b>	<b>Address</b>	<b>Position Held</b>	<b>From</b>	<b>To</b>
Sidhu, Inc. (7-Eleven #29151A)	2299 W. Alameda Ave. Denver, CO 80223	Franchisee	07/06	Current
Shawn, Inc. (7-Eleven #34036A)	6990 Church Ranch Rd. Westminster, CO 80904	Franchisee	09/08	Current
GMS, Inc. (7-Eleven #29420A)	1301 W. 38 <sup>th</sup> Ave. Denver, CO 80211	Franchisee	09/09	Current
Bojo, Inc. (7-Eleven #23603A)	105 Knox Ct. Denver, CO 80219	Franchisee	09/10	Current
G Sidhu, Inc. (7-Eleven #35336A)	12802 Lowell Blvd. Broomfield, CO 80020	Franchisee	12/11	Current
Anoob, Inc. (7-Eleven #39296A)	8820 Colorado Blvd. Thornton, CO 80229	Franchisee	05/14	Current

Town of Silverthorne  
Town Council Memorandum

**TO:** Mayor and Town Council  
**THRU:** Ryan Hyland, Town Manager  
Mark Leidal, AICP, Assistant Town Manager ML  
**FROM:** Lina Maria Lesmes, AICP, Senior Planner LML  
**DATE:** August 20, 2015 for meeting of August 26, 2015  
**SUBJECT:** Second Reading of Ordinance 2015-11, An Ordinance Amending Chapter 4, Article VI, Section 4-6-2(h), Concerning the Design Districts.

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**PROPOSAL:** Ordinance 2015-11 proposes amendments to the Town Core Periphery 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 policies were adopted for the development of the Town Core Periphery District. 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; the Gateway District Design Standards and Guidelines on April 8, 2015; and the Riverfront District Design Standards and Guidelines on July 8, 2015.

On August 12, 2015, Town Council approved the first reading of Ordinance 2015-11, with corrections of typographical errors.

**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). In September of 2014, EDAC convened a subcommittee 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 various occasions to agree on Standards and Guidelines for the Town Core, Gateway, and Riverfront Design Districts. Having established the format and general template for the first three Design Districts, the EDAC Subcommittee has entrusted Staff to proceed with the update of the Standards and Guidelines for the Town Core Periphery, Destination Commercial, and Business Park Districts. The document attached as Exhibit B provides the update to the Town Core Periphery Design District Standards and Guidelines. A slash and underline version, showing all the revisions, is available upon request.

**STAFF COMMENTS:** The proposed revisions to the Town Core Periphery District Design Standards and Guidelines were written to incorporate the following concepts.

- Change of format to 'Standards' and 'Guidelines'.

Town of Silverthorne  
Town Council Memorandum

- Ensuring that buildings are oriented towards the street, and that there is a clearly defined primary entrance.
- Pedestrian Access – Minor changes. Language clarification.
- Vehicular Access – Minor changes. Section reorganization to reflect changes made in other Design Standards and Guidelines.
- Parking – Placement or location of parking areas is not restricted. Only requirement is that parking areas be enhanced with landscaping.
- Landscaping – New standard that requires landscaping that complements buildings and serves as a decorative element, and screens parking and service areas.
- Snow storage – Encouraging snow melting systems and/or the hauling of snow to offsite locations where applicable.
- Lighting – Revised standard to require lighting that is pedestrian scaled; new guideline to encourage the replacement of inadequate light fixtures.
- Screening – new language is identical to the applicable language utilized in the revisions to the Gateway and Riverfront Districts S&G.
- Architecture – Ensuring buildings provides shifts in massing, variations of wall planes and roof forms, as well as a distinct ‘base’, ‘middle’, and ‘top’.
- Building Facades – Language clarification and minor changes. Emphasizing strong architectural elements at the ground level/pedestrian scale.
- Materials and Colors – New language is very similar to the applicable language utilized in the revisions to the Gateway District S&G.
- Building Roofs – No longer stating a preference between flat and pitched roofs, as was done with the Town Core, Gateway, and Riverfront Districts.
- Building Roofs – No longer prohibiting membrane systems for flat roofs, as these are typical, and the Town has approved them in recent development proposals.

**PLANNING COMMISSION RECOMMENDATION:** On August 5, 2015, by a vote of 6-0, Planning Commission recommended approval of Ordinance 2015-11; an ordinance amending Chapter 4, Article VI, Section 4-6-2(h), Design Districts, to amend and update the Town Core Periphery District Design Standards and Guidelines and adopt them as regulation, with an amendment to Standard 4.5.4, and its inclusion as Guideline 4.5.7.

**PROPOSED MOTION:**

*“I move approve Ordinance 2015-11, an Ordinance Amending Chapter 4, Article VI, Section 4-6-2(h), Design Districts, to amend and update the Town Core Periphery 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.

Town of Silverthorne  
Town Council Memorandum

**ATTACHMENTS:**

Exhibit A: Ordinance No. 2015-11

Exhibit B: Town Core Periphery District Design Standards and Guidelines

**MANAGER'S COMMENTS:**

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**TOWN OF SILVERTHORNE, COLORADO  
ORDINANCE NO. 2015-11**

AN ORDINANCE AMENDING SILVERTHORNE TOWN CODE CHAPTER 4, ARTICLE VI, SITE PLAN, CONCERNING THE TOWN CORE PERIPHERY 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 Town Core Periphery 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, on July 8, 2015, Town Council adopted revised Standards and Guidelines for the Riverfront District; and

WHEREAS, the Town Council wishes to revise Chapter 4, Article VI to incorporate the revised Town Core Periphery 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 and Guidelines, adopted August 26, 2015.
- 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.

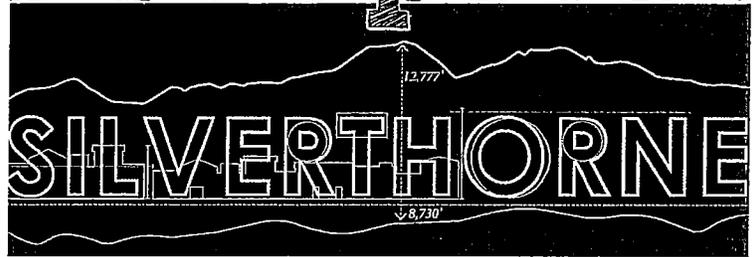
READ, MOVED, AND PASSED ON FIRST READING ON THE 12th DAY OF August, 2015.

MOVED, SECONDED AND FINALLY PASSED ON SECOND AND FINAL READING, ON THE 26th DAY OF August, 2015.

TOWN OF SILVERTHORNE, COLORADO

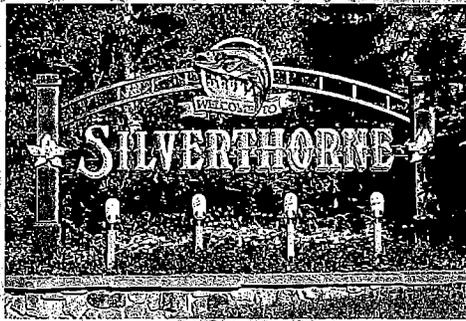
By: \_\_\_\_\_

# Blueprint

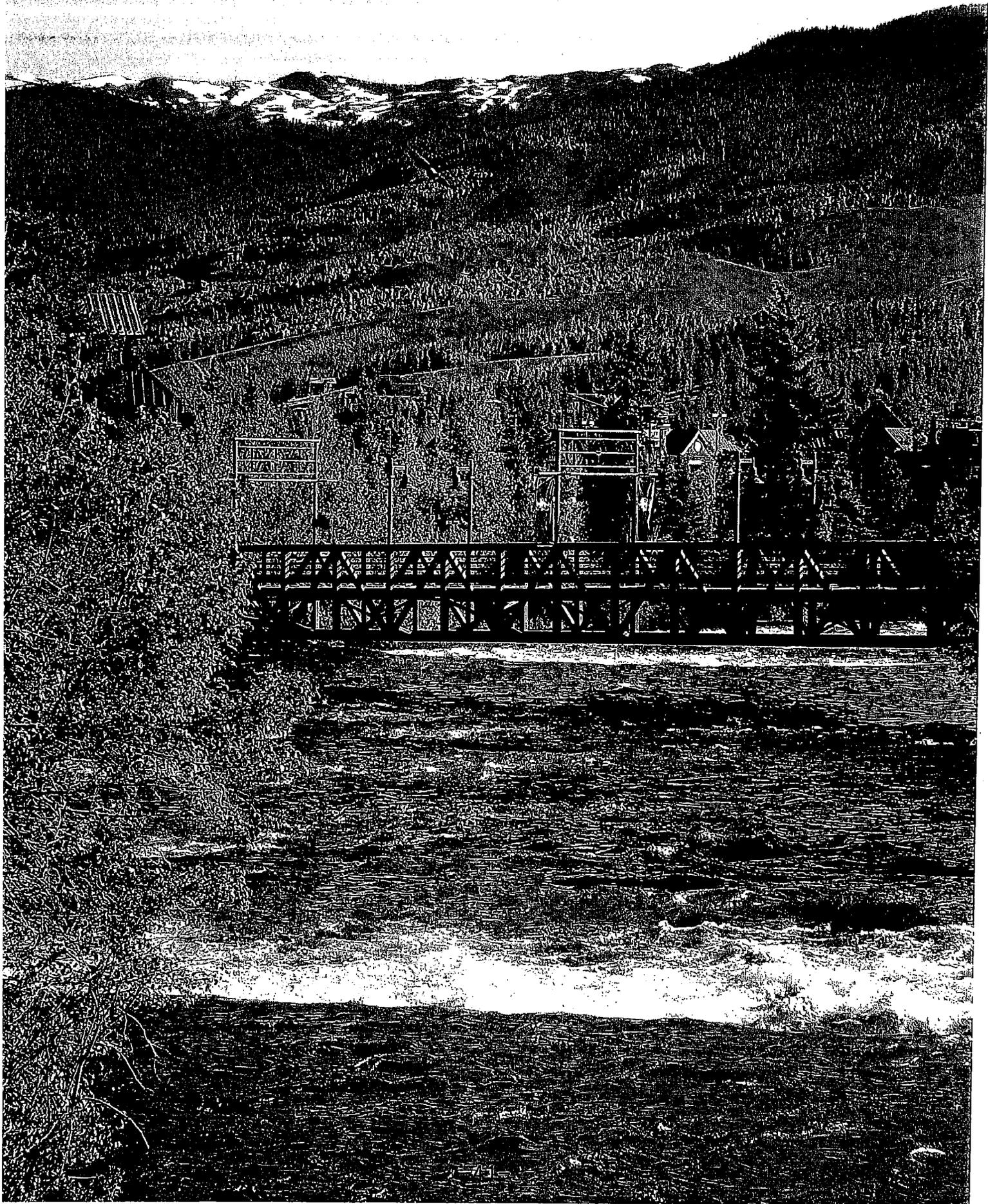


## SILVERTHORNE

# Design Standards & Guidelines



## Town Core Periphery District



# Town Core Periphery 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.

#### Town of Silverthorne Town Council

Bruce Butler, Mayor  
Ann-Marie Sandquist, Mayor Pro Tem  
Russ Camp  
Derrick Fowler  
Peggy Long  
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Stuart Richardson

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Jenny Gloudemans  
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Donna Pacetti  
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#### EDAC Subcommittee

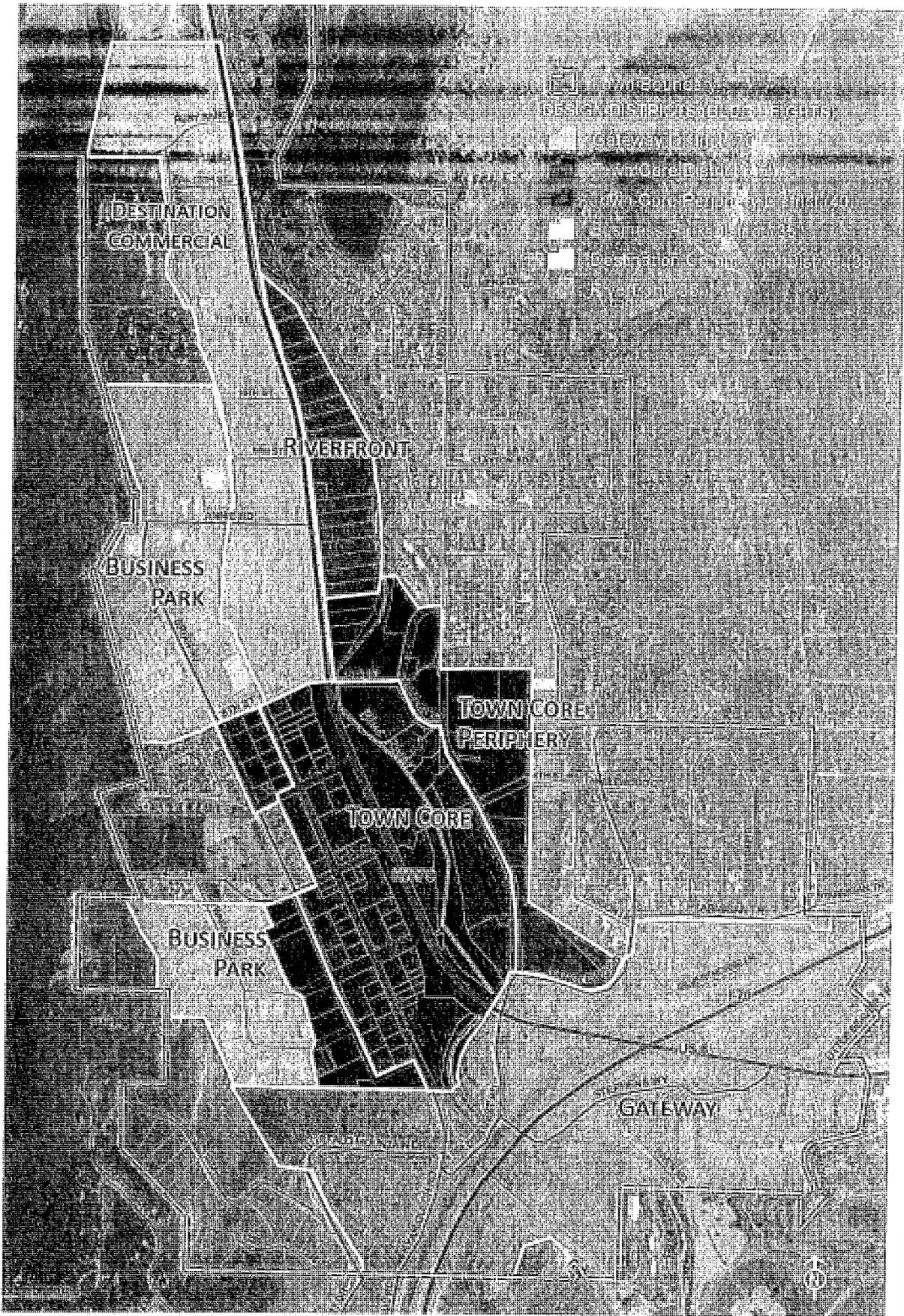
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**Blueprint**  
**SILVERTHORNE**

*Design Districts*

May 2014

# Town Core Periphery

## 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 Town Core Periphery District to the surrounding environment. The boundaries of the Town Core Periphery 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 Town Core Periphery District to be an area where the land uses support and complement the Town Core District uses. The civic triangle of Town Hall, the Recreation Center and Town Pavilion anchor the eastern portion of this district. Design compatibility within the Town Core Periphery 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. The 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 or structures may be relieved from strict compliance with these design standards 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 within the Town Core Periphery 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 the 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 should 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 Town Core Periphery 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 on both a pedestrian and local vehicular traffic scale.

2.1.2. The Town Core Periphery District generally contains a mixture of retail, civic, residential and some light and heavy commercial uses. A mix of land uses that support the Town Core District are encouraged including pedestrian and vehicular destination retail, civic, multi-family residential and professional office uses.

### GOALS

2.2.1. The primary goals for the Town Core Periphery District are to:

- a. Promote land uses that complement and support the Town Core District;
- b. Establish a transition of land uses radiating from the Town Core and the Blue River;
- c. Encourage development that presents an image of permanence, quality and value;
- d. Set minimum quality standards for site design and building architecture;
- e. Develop attractive street facades with buildings scaled and oriented toward vehicular and pedestrian traffic along Rainbow Drive, Brian Avenue and Adams Avenue;
- f. Reduce the negative visual impact of parking lots with

attractive and appropriately sized landscaping;

- g. Locate parking lots to be screened by buildings or landscaping from public view;
- h. Provide pedestrian connections within and between developments that link to the Town's overall pedestrian network;
- 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 landscape scheme within the Town Core Periphery District that advances the continuity of the streetscape; and
- n. Screen storage areas, mechanical equipment and loading areas from public rights-of-way to the extent practical.

## SECTION 3: SITE DESIGN STANDARDS AND GUIDELINES

### GOAL 3.1: BUILDING ORIENTATION AND LOCATION ON THE SITE

*Orient primary structures to the primary street to ensure building visibility from public rights-of-way, to create a sense of street enclosure, to complement existing adjacent development, and to create a coordinated and visually attractive streetscape.*

#### STANDARDS

- 3.1.1. Buildings within the Town Core Periphery District shall be oriented toward the street, and shall respect the relationship to existing adjacent development.
- 3.1.2. Buildings shall have a clearly defined primary pedestrian entrance along the street-facing facade.
- 3.1.3. Accessory structures or uses shall not front public rights-of-way, open space and/or residential areas.

#### GUIDELINES

- 3.1.4. Front facades that are aligned with adjacent buildings, promote visual continuity along the street edge, and support pedestrian activity are encouraged.
- 3.1.5. Developments are encouraged to utilize creative, place-making street sensitive site organization.
- 3.1.6. 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 is encouraged.

### GOAL 3.2: PEDESTRIAN ACCESS AND CIRCULATION

*Create a safe, continuous pedestrian network that links primary buildings and minimizes conflict with vehicular traffic, while providing a convenient option for pedestrian circulation within and between developments.*

#### STANDARDS

- 3.2.1. 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.
- 3.2.2. Continuous internal pedestrian walkways within a development site, not less than six feet in width shall be provided from the primary building entrance to adjacent sidewalks, trails, and public rights-of-way, or to other focal points of pedestrian activity.

3.2.3. Walkways shall be provided to separate pedestrians and vehicles, and shall link ground level uses within the site.

## GUIDELINES

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

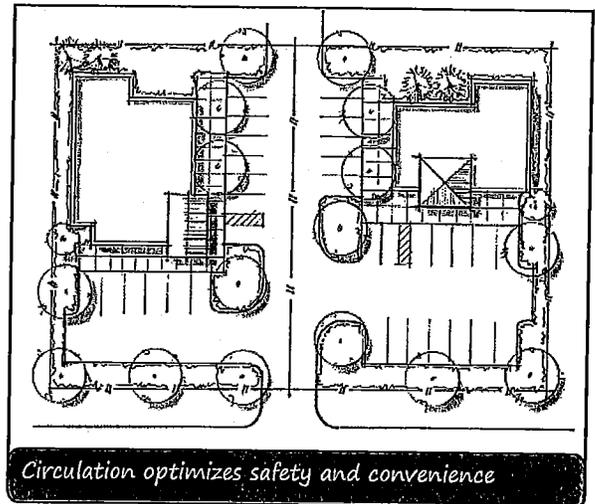
*Create a vehicular circulation system that is safe, convenient, and efficient.*

### STANDARDS

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

3.3.2. 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 or pedestrian walkways. Where possible, adjacent parcels or buildings should share service and delivery areas, and/or access to such areas.

3.3.3. Circulation and parking for service areas shall be designed to minimize disruption to the flow of vehicular and pedestrian traffic, and to provide efficient turning movements.



### GUIDELINES

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

3.3.5. Development projects that require multiple or frequent deliveries should provide separate customer and service access drives where possible.

## GOAL 3.4: PARKING

*Ensure that parking areas within the Town Core Periphery District are adequate and convenient, 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 negative visual and noise impacts to adjacent properties and the public rights-of-way.

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

## GUIDELINES

3.4.3. The Town encourages new developments to minimize surface parking wherever possible by considering parking reductions, shared parking provisions, and providing facilities for alternative forms of transport.

3.4.4. To the maximum extent feasible, parking should be located on the interior of a site or behind a building in a landscaped parking area and screened from view from public rights-of-way. Under ground or under structure parking, integrated with the building's architectural design, is encouraged.

3.4.5. All drives, parking, and vehicular and pedestrian circulation areas shall be paved and properly marked. Where higher quality materials are used at service areas, they should include only those with proven longevity in the local environment such as: colored concrete, hydraulically-pressed concrete pavers, and stone pavers.

3.4.6. Snow storage areas should be located in the rear or side of properties. Snow melt systems or snow hauling offsite should be considered to maximize use of the site.

## GOAL 3.5: LANDSCAPE

*Use landscaping to create an attractive environment within and along the edges of each development parcel, screen parking and service areas, and provide inviting gathering spaces for the public.*

## STANDARDS

3.5.1. 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, or impede the visibility of businesses.

3.5.2. Landscaping shall be clustered into feature areas, such as corners, entryways, buffer zones and screening for service areas, rather than distributed thinly throughout the site.

3.5.3. 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.

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

## GUIDELINES

3.5.5. Alternative forms of landscaping appropriate for the Town Core Periphery District are encouraged. Alternative forms of landscaping might include planter boxes, hardscape patios, and seating areas.



*Seating Areas as alternative forms of landscaping*

3.5.6. Landscaping should be utilized to screen parking areas, service and delivery areas, and utility, mechanical, and telecommunications equipment to the extent practical.

### **GOAL 3.6: LIGHTING**

*Create a safe and welcoming environment within the Town Core Periphery District through the use of adequate site and building lighting design.*

#### **STANDARDS**

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

3.6.2. Pedestrian scale lighting is required on civic or public buildings or sites within the Town Core Periphery District to enhance the experience and safety of the pedestrian.

#### **GUIDELINES**

3.6.3. Lighting should be coordinated to provide uniform light levels and an organized appearance through the use of consistent fixtures, lamp types, and placement.

3.6.4. Light retrofits and replacements in situations where existing light fixtures cause light trespass, glare, or consume excessive energy are encouraged.

### **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**

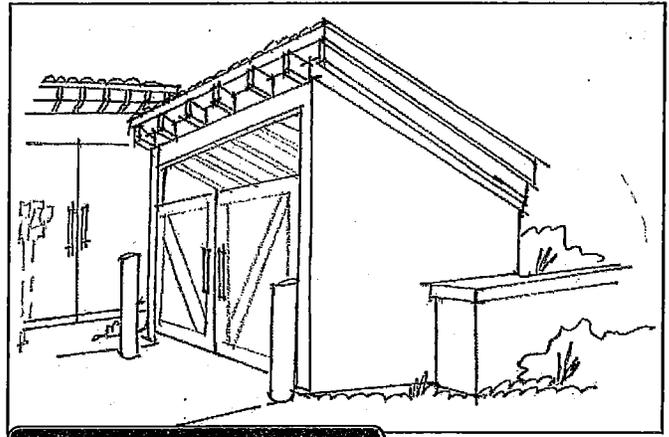
##### **3.7.1. General**

- a. All utility, telecommunications, ground mounted and roof-top mechanical equipment shall be shown on the final site plan for the proposed development project.
- 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 of materials and colors complementary to the primary building onsite. Fences shall be permanent, solid, and opaque; and at least as tall as the object to be screened.
- d. All screening enclosures must be designed in a manner that optimizes the safety, longevity, and performance of the screening enclosure and the equipment being screened.

##### **3.7.2. Refuse, Recycling, Storage and Service Areas**

- a. Refuse, recycling, 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, residentially zoned property, pedestrian walkways, or open spaces.

- b. Refuse, recycling, storage, and service areas shall be combined with other service and loading areas to the extent practical.
- c. 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.
- d. 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.



*Dumpster Enclosure with a Roof*

- e. All outdoor storage of materials, vehicles, and/or ancillary equipment shall be screened from public view with a permanent, solid, opaque fence. Fences shall be designed to complement 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 facade 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 such that they are not visible from the public right-of-way. 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.

## GOAL 3.8: SITE FURNISHINGS AND ART

*Create a clean and comfortable active pedestrian streetscape environment that invites the pedestrian to linger.*

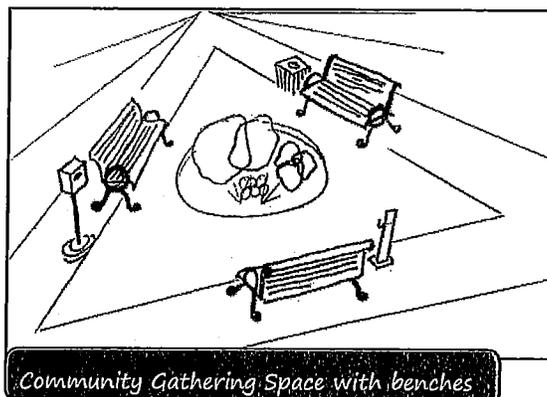
## STANDARDS

3.8.1. Permanent site furnishings such as benches, tables and other pedestrian amenities shall be made of durable, weather resistant materials and shall be consistent with the overall design character of the District.

## GUIDELINES

3.8.2. Site furnishings are encouraged to be provided at main pedestrian walkways, building entrances, plazas, open space, and other pedestrian areas, without impeding pedestrian movement on the sidewalk.

3.8.3. Two-dimensional or three-dimensional art works displayed for public view that enhance the overall district character are highly encouraged.



## SECTION 4: ARCHITECTURAL STANDARDS AND GUIDELINES

### GOAL 4.1: BUILDING HEIGHT, FORM, AND MASS

*Building height, mass, form, length, and proportions shall be designed to provide a variety of visual interest, while maintaining a human scale that is appropriate to its surroundings.*

## STANDARDS

4.1.1. The maximum height in the Town Core Periphery District is forty (40) feet for pitched roofs and thirty five (35) feet for flat roofs. For the purpose of this requirement a pitched roof shall have a slope of no less than 4 feet in 12 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 and quality of the street. The following techniques may be used to meet this objective:

- a. Provide shifts in building massing, as well as variations in the height, profile, and roof form;
- b. Minimize long expanses of wall at a single height or in a single plane;
- c. Provide projecting or recessed design 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 that is weightier in appearance than the rest of the building, with heavier, larger, or darker building materials. In addition, "base" elements may include windows, awnings, canopies, bays, overhangs, or other architectural features.
- b. The "middle" of the building shall be made distinct by a 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 stepback, or creative roofline.

peaked roof forms, arches, or other unique architectural detail. Pedestrian entrances shall be oriented towards the street, and shall be architecturally distinguished from employee or service area entrances.

4.2.6. Building façades shall not exceed 75 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.

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

## **GUIDELINES**

4.2.8. On corner lots, architectural features, such as corner entrances and angled corners, are encouraged to emphasize corner locations.

### **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 Town Core Periphery District.

4.3.2. To break up large building forms and wall surfaces, buildings shall incorporate a variation or combination of materials, material modules, 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 Town Core Periphery 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. 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 Town Core Periphery District Design Standards and Guidelines. The use of mirrored or reflective glass is prohibited.

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

## **GUIDELINES**

4.3.6. Changes in material should occur where the transition is accommodated through an architectural detail. As a

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.*

#### **STANDARDS**

4.5.1. 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.

4.5.2. 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.

4.5.3. Where flat roofs are utilized, they shall be screened with parapets and cornices, or with peaked, sloped, or arched 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 as an identifiable corporate image are discouraged.

4.5.8. Membrane systems that are visible from the public right-of-ways 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 Agenda Memorandum

**TO:** Mayor and Town Council  
**THRU:** Ryan Hyland, Town Manager  
Mark Leidal, AICP, Assistant Town Manager *ML*  
**FROM:** Lina Maria Lesmes, AICP, Senior Planner *LML*  
**DATE:** August 20, 2015, for meeting of August 26, 2015  
**SUBJECT:** Replat and Final Site Plan for River's Edge Condominiums (PT 2015-12)

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**SUMMARY:** The applicant is requesting approval of a Replat and Final Site for a mixed use development consisting of 31 residential condominiums and 1 commercial condominium in a three story building with enclosed parking. The site is currently vacant.

**BACKGROUND:** The applicant, Larry Feldman, 4<sup>th</sup> on 4th, Ltd, purchased the subject property on March 16, 2015.

**PREVIOUS COUNCIL ACTION:** On December 13, 2006, Town Council denied the Sketch PUD and Site Plan for Blue River Lofts. The project consisted of 37 condominiums, 7,500 square feet of commercial space, and underground parking.

Town Council approved the Final PUD and Final Site Plan for Blue River Crossing on June 25, 2008. Blue River Crossing was a mixed-use development in a single structure that included 6,000 square feet of commercial space, 24 residential units, and enclosed parking. The project was never constructed.

On October 27, 2010, Town Council approved Ordinance 2010-4 rezoning the property from Mixed-Use PUD back to Riverfront Mixed Use Zone District. On January 25, 2012, Town Council voted to continue a Preliminary Site Plan for River Trail Lodge for three months, to give the applicant time to work through the recommended conditions of approval. The River Trail Lodge was proposed as a three-story, 46-room hotel, with 50 surface parking spaces accessed via Rainbow Drive. On April 26, 2012, the applicant withdrew the application.

On June 24, 2015, Town Council approved the Preliminary Site Plan for Rivers Edge at Silverthorne Condominiums with the following conditions:

1. That a Conditional Use Permit application for the use '*Multi-family dwelling unit*' be submitted with the Final Site Plan.
2. That a 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 4<sup>th</sup> 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 be showing 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 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.
11. That the comments of the Town Engineer be addressed with the submittal of the Final Site Plan.

On July 22, 2015, Town Council approved a Site Improvements Agreement (SIA) for Rivers Edge Condominiums to remove existing water and sewer lines on the property, and construct new water and sewer lines within a relocated Facilities Easement. Town Council accepted the new Facilities Easement, granted by separate document, on July 22, 2015.

**DISCUSSION:** Staff finds that the proposed Replat to revise the on-site easements meets Section 4-5-14, Replat, Vacation, or Plat Amendment. In addition, the Replat is in conformance with the Town Comprehensive Plan, meets the zoning requirements of Article IV, and meets the requirements of Section 4-5-15, Certifications.

Staff finds that the Rivers Edge Condominiums Final Site Plan meets several of the goals and polices set forth in the Comprehensive Plan. Furthermore, Staff finds that the proposal meets the applicable lot frontage, lot coverage, and setback requirements specified in Section 4-4-13, Riverfront Zone District. Staff finds that the application also meets the Code requirements for parking, landscaping, snow storage, outdoor lighting, and dumpster enclosure, with conditions. Lastly, the Site Plan meets all the requirements of the Town Core District Design Standards and Guidelines, with conditions.

**PLANNING COMMISSION RECOMMENDATION:** On August 18, 2015, by a vote of 5-0, Planning Commission voted to recommend approval of the Replat and Final Site Plan for River's Edge Condominiums, with the following conditions:

1. That all pedestrian walkways associated with the project be a minimum of 6 feet in width, as required by Section 4-4-13.5.h, and Standard 3.2.3 of the Town Core District Design Standards and Guidelines, with the submittal of a Building Permit.
2. That the applicant contribute the proportionate share of the cost of constructing the on-street parking required to serve the project, such that there is no net loss of parking on 4<sup>th</sup> Street, prior to the issuance of a Certificate of Occupancy.

3. That all exterior light fixtures meet the Town Code definition for fully shielded light fixtures with the submittal of a Building Permit.
4. That the applicant work with Staff to ensure Standard 3.7.3.c is addressed regarding the painting of electrical meters on the building, prior to the issuance of a Certificate of Occupancy.

***Suggested Motion:*** "I move to approve the Replat and Final Site Plan for Rivers Edge Condominiums, with the Planning Commission recommended conditions."

**ATTACHMENTS:** Staff Report and Exhibits

**MANAGER'S COMMENTS:**

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**Town of Silverthorne, Colorado**  
**Town Council Staff Report**

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

**Through:** Mark Leidal, AICP, Planning Manager *ML*

**Date:** August 20, 2015, for meeting of August 26, 2015

**Subject:** Replat and Final Site Plan - Rivers Edge Condominiums - (PT2015-12)

**Owner/Applicant:** Larry Feldman, 4<sup>th</sup> on 4th, Ltd.

**Proposal:** Replat and Final Site Plan for a mixed use development consisting of 31 residential condominiums and 1 commercial condominium in a three story building with enclosed parking. *(Please see the attached exhibits for further information.)*

**Legal Description:** Lot 8R, Riverview Subdivision, Filing No. 2.

**Address:** 421 Rainbow Drive

**Site Area:** 1.287 acres or 56,062 square feet

**Zone District:** Riverfront Zone District

**Design District:** Town Core District

**Site Conditions:** Undeveloped land

**Adjacent Uses:** North: Riverside Lodge (RF)  
South: Silverthorne Factory Stores, Phase 3 (PUD)  
East: Rainbow Drive, Silverthorne Recreation Center (OS)  
West: Blue River and the Town Pavilion (PUD)

**Height:** Allowed: 45 feet  
Proposed: 48 feet

**Lot Coverage:** Allowed: 60% of lot area or 33,454 square feet  
Proposed: 50% of lot area or 27,742 square feet

**Parking:** Required: 75 plus 3 handicap spaces (1 van accessible)  
Proposed: 74 plus 3 handicap spaces (1 van accessible)

**Snow Storage:** Required: 1,977 square feet or 25% of paved surface

Proposed: 2,189 square feet or 28% of paved surface

**Landscaping:** Required: 31 trees and 46 shrubs  
Proposed: 48 trees and 46 shrubs

<b>Setbacks:</b>	<u>Required:</u>	<u>Proposed:</u>
Front:	0-5 feet	8 feet
Side (N):	5 feet	45 feet
Side (S):	5 feet	6 feet
River:	25 feet to upper bank	30 feet

**BACKGROUND:** The applicant, Larry Feldman, 4<sup>th</sup> on 4th, Ltd, purchased the subject property on March 16, 2015. It is his intent to develop the property as a high-density residential project with 31 residential condominiums, and 1 commercial condominium. Parking is primarily located within the building, with an additional surface parking area consisting of 8 standard parking spaces and 3 handicap parking spaces.

**SUBMITTAL PACKET:** The submittal packet includes an 11"x17" booklet with descriptive information, the subdivision Replat, a Site Plan, a Landscaping Plan, and 15 sheets of Civil Plans. The tab labeled 'Divider' divides the booklet into two halves. The second half provides the building Elevations, Floor Plans, a Lighting Plan, and a Drainage Plan. The booklet's second half also contains a Site Plan and 15 sheets of Civil Plans, which are both superseded by the versions contained in the booklet's first half. Per the applicant's request, the two sets of superseded plans are included in the packet to show the progression of the project from the Preliminary to Final phases, and are for illustrative purposes only.

**PREVIOUS COUNCIL ACTION:** On December 13, 2006, Town Council denied the Sketch PUD and Site Plan for Blue River Lofts. The project consisted of 37 condominiums, 7,500 square feet of commercial space, and underground parking.

Town Council approved the Final PUD and Final Site Plan for Blue River Crossing on June 25, 2008. Blue River Crossing was a mixed-use development in a single structure that included 6,000 square feet of commercial space, 24 residential units, and enclosed parking. The project was never constructed.

On October 27, 2010, Town Council approved Ordinance 2010-4 rezoning the property from Mixed-Use PUD back to Riverfront Mixed Use Zone District. On January 25, 2012, Town Council voted to continue a Preliminary Site Plan for River Trail Lodge for three months, to give the applicant time to work through the recommended conditions of approval. The River Trail Lodge was proposed as a three-story, 46-room hotel, with 50 surface parking spaces accessed via Rainbow Drive. On April 26, 2012, the applicant withdrew the application.

On June 24, 2015, Town Council approved the Preliminary Site Plan for Rivers Edge at Silverthorne Condominiums with the following conditions:

1. That a Conditional Use Permit application for the use '*Multi-family dwelling unit*' be submitted with the Final Site Plan.
2. That a 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 4<sup>th</sup> 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 be showing 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 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.
11. That the comments of the Town Engineer be addressed with the submittal of the Final Site Plan.

On July 22, 2015, Town Council approved a Site Improvements Agreement (SIA) for Rivers Edge Condominiums to remove existing water and sewer lines on the property, and construct new water and sewer lines within a relocated Facilities Easement. Town Council accepted the new Facilities Easement, granted by separate document, on July 22, 2015.

**STAFF COMMENTS – REPLAT:** The Plat of Lot 8R, Riverview Subdivision #2 was approved in 1991. Lot 8R is encumbered by a 10-foot pedestrian and bike path easement along the west; a utility easement that crosses the property varying in width from 24 feet to 50 feet; a 30'x50' lift station and well site easement; a 25-foot private access easement for the pump house; a 25-foot access easement for the property to the north; a 15-foot utility easement along the north; and a 10-foot snow storage easement along the east. The plat also shows a 35-foot transmission line easement that was vacated in May of 2005.

The applicant is proposing to relocate the utilities that bisect the property, create a new exclusive water and sewer easement, create a new 6-foot public access and recreational trail easement along the south, relabel the pedestrian and bike path easement along the west, and create three fire hydrant easements. The proposed plat also relocates the access easement for the pumphouse, and provides explanatory plat notes for the easements. 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 – 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 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.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.7 - Encourage high density residential and accommodations development in the properties east of the Blue River, within the Town Core District, including but not limited to hotels, condominiums/apartments, and townhomes, which support a critical mass of people continually present within a walkable distance to restaurants, retail shops, offices, and entertainment areas.*

*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 LU 3.1 – Focus highest density residential development within and radiating outward from Silverthorne’s Town Core, transitioning to medium and lower density neighborhoods to the north and east, eventually promoting a buffer of the lowest density, largest lot residential areas abutting the private agricultural and public lands that surround the town.*
- Policy LU 3.2 – Promote enduring design, quality materials, and durable building techniques across all housing types, to preserve Silverthorne’s community character and quality of life for all residents.*
- Policy LU 3.4 – Foster diversity and flexibility in housing types.*
- Policy LU 4.3 – Celebrate the Blue River as a community asset through enhanced recreational access, integration of river views, and context sensitive design.*
- Policy LU 5.11 – Ensure that development adjacent to the Blue River is accomplished in a manner that enhances the river corridor, protects water quality, and maintains pedestrian access and use.*
- 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 2.3 – Feature the Blue River as a design element in Silverthorne’s downtown, by allowing certain developments to look outward onto the river, and integrating recreational access and seating areas along the river, where appropriate.*
- Policy CD 3.2 – Encourage the use of natural and long-lasting materials and colors that are enduring and complementary to Silverthorne’s natural setting and existing development.*
- 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 CD 3.7 – Encourage the consolidation of site elements such as parking, snow stacking, trash enclosures, and detention ponds when feasible, and consider a cooperative approach to the location of these elements on adjoining properties.*
- Policy T 4.2 – Allow for efficient solutions for parking as commercial development occurs, including shared parking and other parking management strategies, to reduce land area needed to meet parking standards, create a more dense urban form, and to promote alternative forms of transportation.*
- Policy E 1.3 - Promote development along the Blue River that protects key features, provides pedestrian elements, and encourages investment in the Town Core District.*

Staff finds that the proposed development is consistent with several policies of the Silverthorne Comprehensive Plan. The project contributes to the critical mass of people needed in the Town Core District, and creates the high density residential development envisioned between the Blue River and Rainbow Drive. In the Town Core District, the Comprehensive Plan also recommends the creation of gathering spaces, pedestrian connectivity, and the celebration of the Blue River, all of which have been incorporated

into the proposed project. The building architecture provides a variety of visual interest and distinct architectural elements on all facades, and maintains elements appropriately scaled to the pedestrian. The project proposes some natural and enduring building materials to address the remaining policies of the Comprehensive Plan.

**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.

**Zoning Standards** – Development projects in the Riverfront Zone District (RF) are required to promote the Blue River as the central image of Town by providing, among others, high density residential uses that may be mixed with commercial uses, and path connections along the river and the street edges. Staff finds that the application meets the RF Zone District requirements for lot frontage, setbacks, and lot coverage.

**Density** – The Riverfront Zone District permits a maximum of 25 dwelling units per acre. For a lot area of 1.28 acres, 32 residential units are permitted. The applicant is proposing 31 residential units and one commercial unit, not exceeding the density maximum.

**Land Uses** – Section 4-4-17, Use Schedule, was revised by Town Council on July 8, 2015, in concurrence with revisions to the Riverfront (RF) Zone District. Per the revisions, the use ‘Retail’ and the use ‘Multi-family dwelling unit’, which includes condominiums, are both listed as permitted uses in the RF zone district. Consequently, a Conditional Use Permit for the ‘Multi-family dwelling units’ is no longer required for Rivers Edge Condominiums (Condition #1 of the Preliminary Site Plan).

**Height** – 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 8,749, permitting a highest ridge elevation of USGS 8,794. Building elevations with height limits are shown on Sheets ELEV 1 and ELEV 2, with portions of the building reaching 8,797 and exceeding the height maximum.

Section 4-4-4(d), Maximum height of buildings states the following:

*“The height limitations of this chapter shall not apply to church spires, belfries, cupolas, penthouses or domes not used for human occupancy, to chimneys, ventilators, skylights, water tanks, silos, antennas, utility poles, and necessary mechanical appurtenances usually carried above the roof level. However, the height of antennas used for microwave receiving dishes and noncommercial purposes, such as ham radio, television or citizen bands, shall be no greater than the distance to the nearest property line.”*

During the review of the Preliminary Site Plan for Rivers Edge Condos, Planning Commission and Town Council found that the architectural elements above 45 feet are permitted by Code Section 4-4-4(d), as they are not used for human occupancy. As such, the proposed building design meets the height requirement.

**Vehicular Access and Circulation** – The project takes access from Rainbow Drive via an existing drive entrance, which will be maintained at 26 feet in width to address the Fire Department requirements. The roofed drive aisle that accesses the interior garages also provides sufficient room for 2-way circulation at 26-feet in width.

Vehicular ingress and egress is also proposed from 4<sup>th</sup> Street, via a 22-foot driveway. Because constructing an access to and from 4<sup>th</sup> Street would result in the loss of at least 1 parking space, Staff only supports the access if the 4<sup>th</sup> Street parking area is reconfigured such that there is no net loss of parking spaces. Aside from that, Staff finds that the vehicular access points provide adequate space for vehicles to enter and exit the site in a forward-flow movement, and that onsite circulation is functional.

**Pedestrian Access and Circulation** - For pedestrian access, the applicant is proposing to a 6-foot sidewalk on the south side of the property connecting the sidewalk on Rainbow Drive to the Blue River Trail. As shown on the Replat, a 6-foot 'Public Access and Recreational Trail Easement' is being created for the onsite public sidewalk. In order to address the comments from the SPORT committee, the applicant is proposing a 'plaza' on the southeast corner of the property, at the junction of the sidewalks along Rainbow Drive and 4<sup>th</sup> Street. The 'plaza' is proposed as a landscape feature, but also to provide a 'short-cut' for pedestrians traveling from the east, including from the Recreation Center and Rainbow Park. All private improvements within the public right-of-way and on Town-owned property will require the approval of a License Agreement by Town Council.

Internal sidewalks and walkways are required to meet the following standards of the Riverfront Zone District and the Town Core District Design Standards and Guidelines:

- ✓ Section 4-4-13(5)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 and around buildings, to the riverfront pathway."*
- ✓ Standard 3.2.3. *"Continuous internal pedestrian walkways within a development site, not less than six (6) feet in width, shall be provided from the principal building entrance to adjacent sidewalks, trails, and public rights-of-way, including the Blue River Trail."*

The approved Preliminary Site Plan proposed 6-foot internal walkways for all pedestrian circulation. Those walkways were revised to be 5 feet in width with the submittal of the Final Site Plan. Staff finds that 6-foot continuous pedestrian walkways are required to meet the standards of the Riverfront Zone District and the Town Core District Design Standards and Guidelines. As a condition of approval, all pedestrian walkways will be required to be 6-feet in width with the submittal of a building permit.

**Parking** – The proposed building is comprised of 31 residential condominiums and 1,035 square feet of commercial space. Due to its location in the Town Core District, the commercial portion of the project qualifies for additional voluntary reductions in

parking. 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
4, 4BR condominiums	12	Bicycle Parking - 4
9, 3BR condominiums	22.5	
18, 2BR condominiums	36	
Visitor Parking	6.2	
Handicap Parking	3	None
<b>Parking Required Onsite: 73 + 3 HC spaces</b>		
1,035 s.f. of Retail	2.6	As on-street parking
		25% Reduction for TC – 0.6
<b>TOTAL PARKING REQUIRED: 75 + 3 HC spaces</b>		

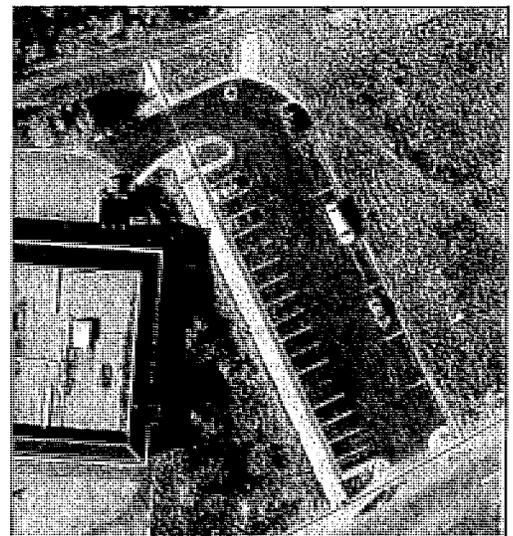
The plans indicate that 66 parking spaces will be provided in interior garages, and 8 parking spaces will be provided in the surface parking area, for a total of 74 standard spaces and 3 handicap spaces provided onsite. In addition, 3 handicap spaces (2 van-accessible) are provided onsite. All surface parking facilities are located 10 feet from the property lines, as required by Section 4-6-10.

The commercial portion of the project qualifies for a 25% reduction in the parking by virtue of it being located in the Town Core District. In addition, the construction of on-street parking is permitted by the Town Code in the Town Core District on a 1:1 ratio for non-residential uses. The additional one (1) space required for the commercial unit is proposed to be constructed on 4<sup>th</sup> Street. The parking requirements are met.

As a condition of approval, the applicant will be required to contribute the proportionate share of the cost of constructing the on-street parking required to serve the project prior to the issuance of a Certificate of Occupancy.

**4<sup>th</sup> Street Parking** – Currently, there are 25 parking spaces in the 4<sup>th</sup> Street Right-of-Way, which is 60-foot wide and utilized primarily as Pavilion over-flow parking. Eighteen (18) spaces are located in a 90° parking area adjacent to Lot 5R (Outlets), and 7 parallel spaces are located adjacent to Lot 8R (subject property). A 9-foot sidewalk also exists on the south side, 7 feet of which are on the Outlets property, 2-feet of which are currently within the 4<sup>th</sup> Street Right-of Way.

With the Preliminary Site Plan, the applicant was proposing to reconfigure the parking within 4<sup>th</sup> Street, such that there were 17, 90° parking spaces on the south



side, and 16, 90° parking spaces on the north side, for a total of 33 parking spaces, and a net gain of 8 parking spaces. As a condition of approval of the Preliminary Site Plan, the applicant was required to submit plans showing the exact reconfiguration of the 4<sup>th</sup> Street parking. As noted on first orange sheet following the 'Divider' tab, the applicant is now proposing to contribute the appropriate share of the costs of constructing the 4<sup>th</sup> Street parking and sidewalk. The applicant has noted that, due to the encroachment into the ROW by the Outlets' sidewalk to the south, constructing 90° parking on both sides of 4<sup>th</sup> Street is not currently feasible.

At public meetings with Planning Commission and Town Council, it was suggested that the 4<sup>th</sup> Street parking area could be improved by removing the sidewalk on the south side, which is not frequently used, shifting the parking area to the south, and providing a 10-foot sidewalk along the north side. It is still the goal of the Town to work with Craig Realty Group to remove the sidewalk that exists on their property, obtain an easement to relocate a portion of the parking onto their property, and construct a 4-foot addition to the 6-foot sidewalk along the southern property line of Rivers Edge Condos. The negotiation is currently in progress.

Because the access from 4<sup>th</sup> Street into the project results in the loss of one parking space, and the applicant is required to provide 1 additional on-street parking space for the commercial space, Staff recommends that, as a condition of approval, the applicant be required to contribute the proportionate share of the cost of constructing the on-street parking required to serve the project, such that there is no net loss of parking on 4<sup>th</sup> Street. This is noted as a condition of approval, and will be required prior to the issuance of a Certificate of Occupancy on the project.

**Snow Storage** – A minimum of 25% of the total paved area must be provided for snow storage. Sheet A102 indicates that there are 7,709 square feet of paved areas, requiring 1,977 square feet of snow storage. The applicant is proposing 2,189 square feet of snow storage in locations that facilitate the snow stacking process, meeting the requirement.

**Patio, Unit 31** – As a condition of approval of the Preliminary Site Plan, the applicant was required to revise a private 34'x11' enclosed (fenced) patio, which encroached onto the 10-foot snow storage easement that was dedicated to the Town in 1991, and which is utilized to store snow from the sidewalk on Rainbow Drive. The applicant revised the patio on the plans, and Staff supports the patio configuration as shown on the plan set. Community Development and Public Works Staff (Please see Exhibit B) do not support enclosed or fenced private patio areas that encroach onto the snow storage easement and decrease the area available to store snow from the Rainbow Drive ROW. Apart from hindering the snow removal process, such enclosures or fencing are likely to become damaged with snow removal equipment and the storage of snow.

**Landscaping** – For a site with an area of 56,061 square feet in the RF zone district, the landscaping area required is 11,212 square feet. The vegetated roof, with an area of 4,672 square feet, may count towards the required landscape area on a 1:1 ratio. Staff

estimates that 1,920 square feet will be vegetated on the roof, reducing the required landscape area to 9,292 square feet. Based on that amount, 31 trees and 46 shrubs are required. Sheet A102, Landscape Plan, depicts 24 Aspen trees, 24 Blue Spruce trees, and 46 shrubs, exceeding the minimum requirements.

In order to meet the conditions of the Preliminary Site Plan, the applicant relocated all trees previously proposed in utility easements, and all trees proposed within the Town right-of-way. The landscaping requirements are met.

**Dumpster Enclosure** – Trash and recycling facilities are located within the building on the north side. The trash area can be accessed from the interior garages, and via doors to the exterior. There is adequate space for a garbage truck to enter and exit the site in a forward-flow motion.

**Lighting** – The Lighting Plan is shown on Sheets EP200 and EP100. The proposed light fixtures are twenty three (23) 'Jet 12 square wall up-down lights' and two (2) freestanding light fixtures aimed straight down. The two freestanding lights are 15 feet in height, and located a minimum of 15 feet from a property line. The Photometric Plan shows light levels meeting the requirements of the Town Code.

Section 4-6-13.e.2 requires that all outdoor lighting fixtures shall utilize fully shielded fixtures, meeting the following definition: "*Fully shielded means that the outdoor light fixture is constructed so that, in its installed position, all of the light emitted by the fixture is projected below the horizontal plane passing through the lowest light-emitting part of the fixture.*" The wall mounted fixtures proposed have light emitting up and down from the fixture. As a condition of approval, all wall mounted fixtures must meet the Town Code definition for fully shielded light fixtures.

**Utilities** – Existing water and sewer mains run within the Utility Easement that bisects the property. In addition, there are gas and telephone lines buried within that same easement. The applicant is proposing to relocate the water and sewer mains to a location further west on the property, and to create a new Water and Sewer Easement as part of the Replat. Sheet C103 shows the proposed location of the utility lines for the project. The Utilities Department has reviewed the plans, and their comments are attached as Exhibit C. All easement holders were notified of the proposed easement relocations, and Staff did not receive any comments of concern regarding the utility and easement relocations.

**Drainage** – A Drainage Report is included in the orange booklet, and a Grading and Drainage Plan is depicted on Sheet C104 of the plan set. Per the plan, storm water drainage is proposed to be directed into an underground storm sewer system, treated in a water quality 'Stormceptor', and then discharged into the Blue River. The Drainage Plan and Report were reviewed by the Town Engineer, and his comments are attached as Exhibit B.

**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 Rainbow Drive, and with a strong presence on 4<sup>th</sup> Street, meeting this standard.

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."* Although the building is primarily a residential building, there are clearly defined pedestrian entrances along Rainbow Drive and 4<sup>th</sup> Street at the street level, meeting the standard.

***Pedestrian Access and Circulation***

Standard 3.2.1 states, *"The Blue River Trail and Blue River Parkway Trail are important elements of the Town Core District. Developments shall provide pedestrian linkages to these trails."* The Blue River Trail runs through the subject property within a bike path easement. The applicant is proposing a sidewalk along 4<sup>th</sup> Street and a gathering area immediately adjacent to the Blue River Trail. In addition, the applicant is providing a pedestrian connection to the Trail from the main entrances to the building along the West elevation, meeting this standard.

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 on private property immediately adjacent to 4<sup>th</sup> Street. A Public Access and Recreational Trail Easement for the sidewalk is proposed as part of the Replat for the property.

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"*. In order to meet this standard, all internal pedestrian walkways will need to be revised to be 6 feet in width. This is noted as a condition of approval.

***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."* Vehicular circulation is functional and organized, and parking areas are designed with adequate space to maneuver, 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." The trash area is located within the building, not noticeable from any public right-of-way. Staff finds that this standard is met.

### **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 majority of the parking within the building, or in a parking area to the side of the building, the applicant is minimizing the negative visual and noise impacts of parking areas.

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 majority of the parking is within the building, with a small parking area located to the side of 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." The applicant is utilizing available parking reductions for the non-residential portion of the project, meeting this standard.

Guideline 3.4.4 states, "To the maximum extent feasible, parking areas should be located on the interior of a site or behind a building in a landscape parking area, and screened from view from public rights-of-way. Underground or under structure parking, integrated with the building's architectural design, is encouraged." The majority of the parking is within the building and integrated into the architecture of the building.

### **Landscape**

Standard 3.5.2 states, "Development within the commercial areas located East of HWY 9 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, and alternative forms of landscaping must be considered." The applicant is proposing sufficient landscaping to meet the Town Code, and is not disturbing any of the natural vegetation around the river. A gathering area adjacent to the bike path and a vegetative roof qualify as alternative forms of landscaping in this District.

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." Landscaping is proposed around building entrances, and on the vegetated roof. Project landscaping serves as a decorative element that complements the building, and functions as screening. This standard is met.

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, trees previously proposed within the utility easements have been relocated to meet this standard.

Standard 3.5.5 states, *"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."* The applicant has indicated that all trees will be considered for root size at maturity and will be located far enough from sidewalks to avoid the use of root barriers.

### **Lighting**

Standard 3.6.1 states, *"Site and building lighting in the Town Core District shall contribute to the streetscape and maintain its continuity"*. Street lights exist on the south side of 4<sup>th</sup> Street and along Rainbow Drive. Only wall mounted fixtures are proposed along 4<sup>th</sup> Street and Rainbow Drive. Staff finds that the proposed light fixtures are not in conflict with the street lights, meeting this standard.

### **Screening**

Standard 3.7.3.a states, *"Avoid locating telecommunications equipment, mechanical equipment, utility connections, and service boxes on the primary façade of the building"*. There are 33 electric meters that will be located on the north side of Building 1, meeting this standard. Please see Exhibit E for details.

Standard 3.7.3.c states, *"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"*. As a condition approval, the applicant will be required to address this standard prior to the issuance of a Certificate of Occupancy.

### **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. Large sections of brick are proposed for the base, attractively anchoring the building. The base is also emphasized with roof elements, windows, and doors. Upper levels have balconies and windows, and the top is accented with a creative roof line at various elevations.

Standard 4.1.5 states, *“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.”* The building design includes upper level balconies, a variety of window sizes and materials, a spiral outdoor staircase, and an octagon-shaped corner element for the commercial space. 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;*
- 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, window patterns, and well defined entrances.

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, attractive corner elements, upper level balconies, and distinct architectural elements. All of these elements provide contrast and intricacy of form, meeting this standard.

Standard 4.2.3 states, *“Buildings shall be designed with consistent and/or compatible details on all sides visible from public right-of-ways and pedestrian walkways.”* The building is designed with consistent details on all sides, as required by this standard.

Standard 4.2.5 states, *“Building facades 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 2.5 feet for a distance of not less than 6 feet.”* The longest building façade along the same geometric plane is 30 feet, meeting this standard.

Standard 4.2.7 states, *“Maintain the distinction between the street level and upper floors through material differentiations, horizontal expression lines, varied fenestration, or other architectural features.”* Horizontal expression lines are created through material differentiation, upper level balconies, and varied windows and doors on all elevations. Staff finds that this standard is met.

### ***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 heavy timber trusses and posts, and sections of clay fired brick and glass (Class I materials). The applicant is also proposing corrugated metal, manufactured stone, and fiber cement siding, in quantities found by Town Council to meet this standard.

Standard 4.3.6 states, “*Applicants are required to submit a sample board of materials, finishes, and colors of all proposed exterior materials*”. The applicant has submitted a color and material board that will be available at the public meeting.

### ***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 6 on the Munsell Color Chart. The term trim 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 4 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, deep reds, and blues. Staff has reviewed the colors against the standards in the Munsell color book, and found that this standard is met.

### ***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 a combination of pitched roof elements at various elevations, and composed of standing seam metal roofing and

architectural grade asphalt shingles. There are a variety of creative roof elements, including towers at the corners that enhance the architecture of the building. Because roof elements are oriented in a number of directions, preventing ice damming and other cold-climate related issues, will require prudent design of the roof structure (beyond the scope of this report). 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.”* Large expanses of roof are broken up with dormers, towers, and shed roof elements, meeting this 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.”* It does not appear that significant snow shedding will occur onto required parking areas and sidewalks. Dormer elements have been designed over the majority of decks and entrances. The majority of walkways are located several feet from the building, reducing the amount of snow that will be deposited in those areas. Staff finds that this standard is met.

**PLANNING COMMISSION RECOMMENDATION:** On August 18, 2015, by a vote of 5-0, Planning Commission voted to recommend approval of the Replat and Final Site Plan for River’s Edge Condominiums, with the following conditions:

1. That all pedestrian walkways associated with the project be a minimum of 6 feet in width, as required by Section 4-4-13.5.h, and Standard 3.2.3 of the Town Core District Design Standards and Guidelines, with the submittal of a Building Permit.
2. That the applicant contribute the proportionate share of the cost of constructing the on-street parking required to serve the project, such that there is no net loss of parking on 4<sup>th</sup> Street, prior to the issuance of a Certificate of Occupancy.
3. That all exterior light fixtures meet the Town Code definition for fully shielded light fixtures with the submittal of a Building Permit.
4. That the applicant work with Staff to ensure Standard 3.7.3.c is addressed regarding the painting of electrical meters on the building, prior to the issuance of a Certificate of Occupancy.

***Suggested Motion:*** *“I move to approve the Replat and Final Site Plan for Rivers Edge Condominiums, 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 findings and motion:

**Findings:**

1. The Final Site Plan does not provide adequate on-street parking to serve the project, and results in a net loss of parking on 4<sup>th</sup> Street.

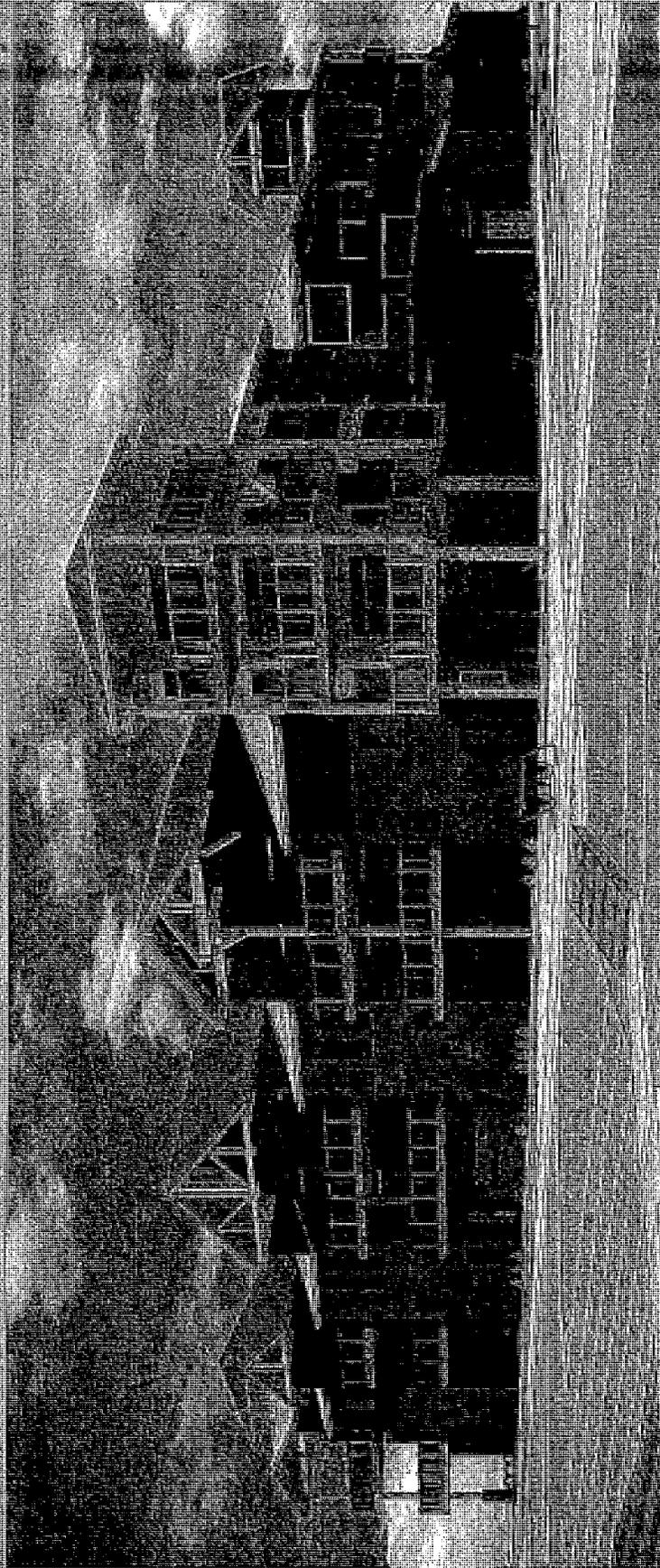
2. The Final Site Plan does not adequately address Section 4-4-13.5.h, and Standard 3.2.3 of the Town Core District Design Standards and Guidelines, which require 6-foot pedestrian walkways.

*Motion: "I move to deny the Replat and Final Site Plan for Rivers Edge Condominiums based on the Staff recommended findings".*

**EXHIBITS:**

- Exhibit A - Project Booklet and Plan Set
- Exhibit B - Town Engineer Comments, dated August 12, 2015
- Exhibit C - Utilities Manager Comments, dated August 12, 2015
- Exhibit D - Fire Department comments, dated July 24, 2015
- Exhibit E - Xcel Energy comments, dated July 28, 2015
- Exhibit F - Electric Meter locations and information

River's Edge Minor Subdivision and Final Plat Application  
July 13, 2015



## Revised Submittal Materials - August 13, 2015

The Orange Pages that follow the introductory Blue Pages are our applications to a Minor Subdivision Plan and Final Plan filed on July 13, 2015. The Blue Pages are our responses to various comments and corrections we have been receiving. CDD, Town Engineering, and other agencies over the last 2 weeks. The revised Architectural Plans (pages A100, A101, and A102) and revised Civil Plans that follow the Blue Pages and come before the Orange Pages. They replace similar pages in the back of the Application Book. The CDD has been provided with updated 24.3.6 Architectural and Civil plans matching those that follow.

We have not provided any new building elevations since Preliminary Plan Application because there are none. The elevations, building heights and materials remain as previously approved. We have provided CDD 5 additional samples of painted Harlan Park to add to our Material Board that display your full color palette. The photos of materials and colors that follow are highly accurate as to our materials and color palette.

2. Attached is Range West's Final Plan which omits previous easement that have been vacated and shows all new or revised easements with the principal ones being the new 35' Town Utility Easement for water and sewer that includes an easement for the Pump House, an access easement to and around the Pump House, fire hydrant easements, and an easement for a 6 foot sidewalk on the southern boundary of our property. The Dedication and a few technical notes have also been revised as requested. We believe the included plan is very close but if there are still some minor adjustments prior to filing we would hope Council could authorize staff to approve them.

3. Attached are Architectural Site and Landscape Plans (A100, 101, and 102) showing the 6 foot southern boundary sidewalk, a slightly revised internal sidewalk layout with all 6 foot wide sidewalks, all trees removed from all easements, the elimination of 2-4th Street parking spaces nearest to the Pedestrian Bridge due to non-conforming size - this provides 14 spaces where there are now 7, the addition of the Outlet property north border, the elimination of the location of the Outlet sidewalk, curb and gutter and adjacent 4th Street parking spaces since these are 6 feet and have not been surveyed by us. Also eliminated from all plans is the Unit 31 front yard fence. One few elevations that showed the fence we have clearly noted that it is excluded. As more fully detailed below we would, however, like to add the fence back in and plead our case for a very minor flow license or concession that would allow the fence to benefit the Unit 31 owner and the Town.

4. Attached are Civil Engineering Drawings conforming to the various easements, showing a thickened 6' sidewalk adjacent to 4th Street that divides the street from the sidewalk and provides the wheel block and safety that the Town is looking for. To the extent that there are any computer remnants of the Outlet 4th Street parking and sidewalk they should be ignored. The Architectural Site Plans controlling on this issue have the BOBO Ditch.

5. BOBO Ditch - Our installation of a pipe under the 4' to 5' foot wide ditch to carry filter and drainage water to the river will take only a few days at most. As with previously approved projects we have been asked to have the BOBO ditch owners approve our plans. A courtesy request letter follows and Bill Linfield has volunteered to speak with the ditch people to get their approval. We initially believe BOBO owns nothing and has only an easement in that to transport their irrigation water across Town land. Thus, they have nothing to approve or disapprove of whatever we plan to do. Nevertheless, we wish to treat them courteously and respectfully and to not interfere with their water flow or expose them to any liability.

6. Town Engineering Raised Questions About:

a. The 2008 Soils Report was accepted after receiving the letter below from our Structural Engineer.

b. The BOBO Ditch that were resolved by a meeting with the applicant and Bill Linfield and the actions discussed above.

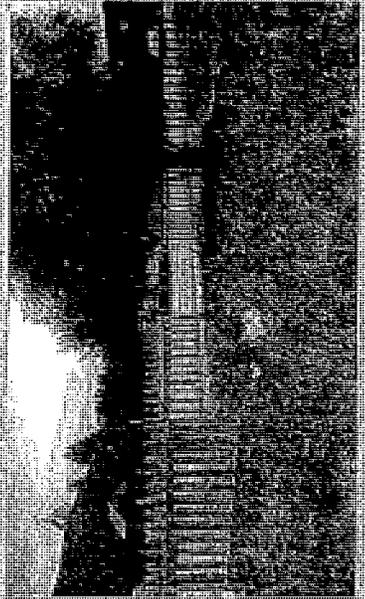
c. The 4th Street drive aisle width relative to the 2' farthest west parking spaces on 4th Street. We have removed them as requested but suggest perhaps they could become a motor cycle or formal bike parking area. After removing the 2 spaces 14 remain which is more than currently exist.

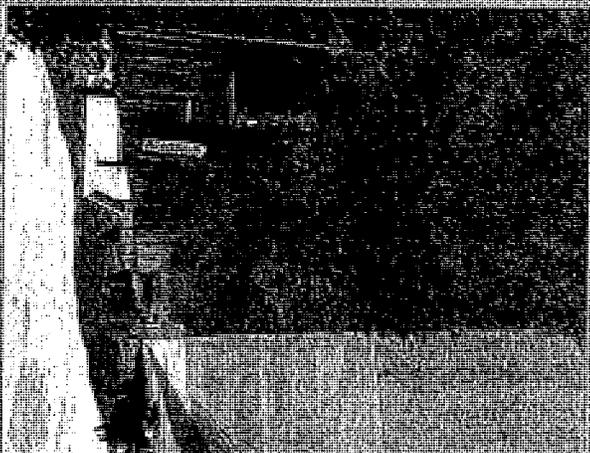
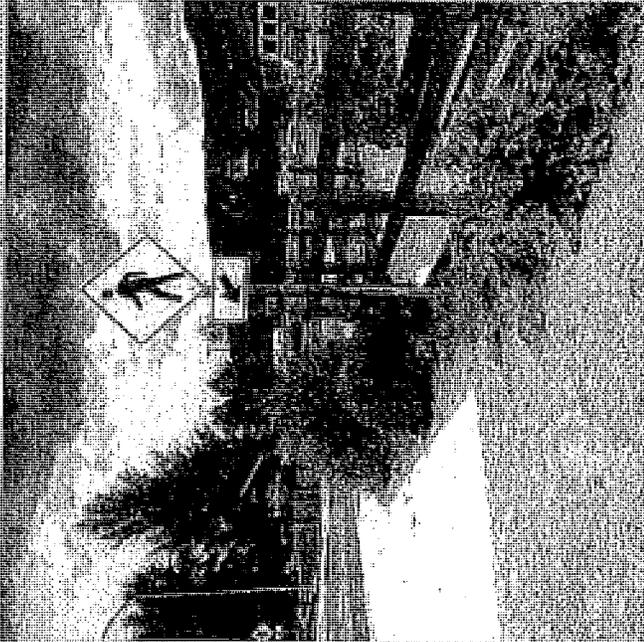
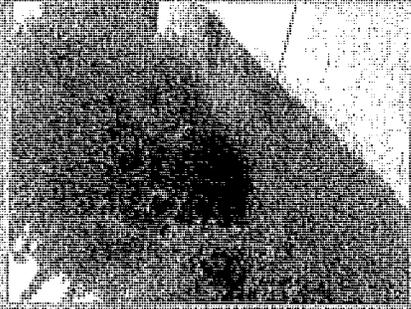
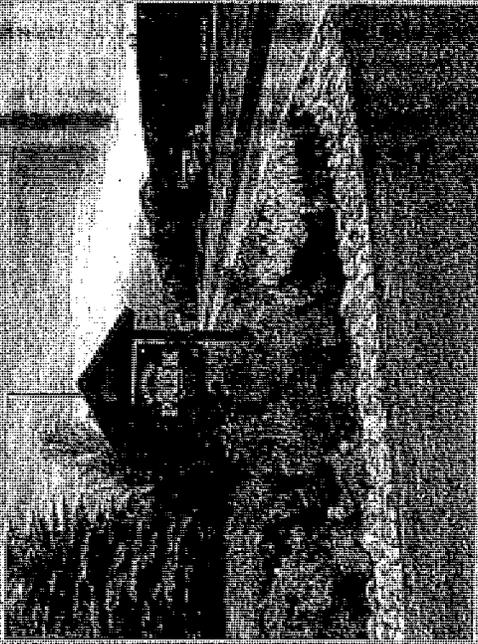
d. The 4th Street drive aisle width after we add the 90' spaces is compromised to 22' feet versus the Code required 22 feet. This is a result of the encroachment of the Outlet sidewalk and curb and gutter on the Outlet site.

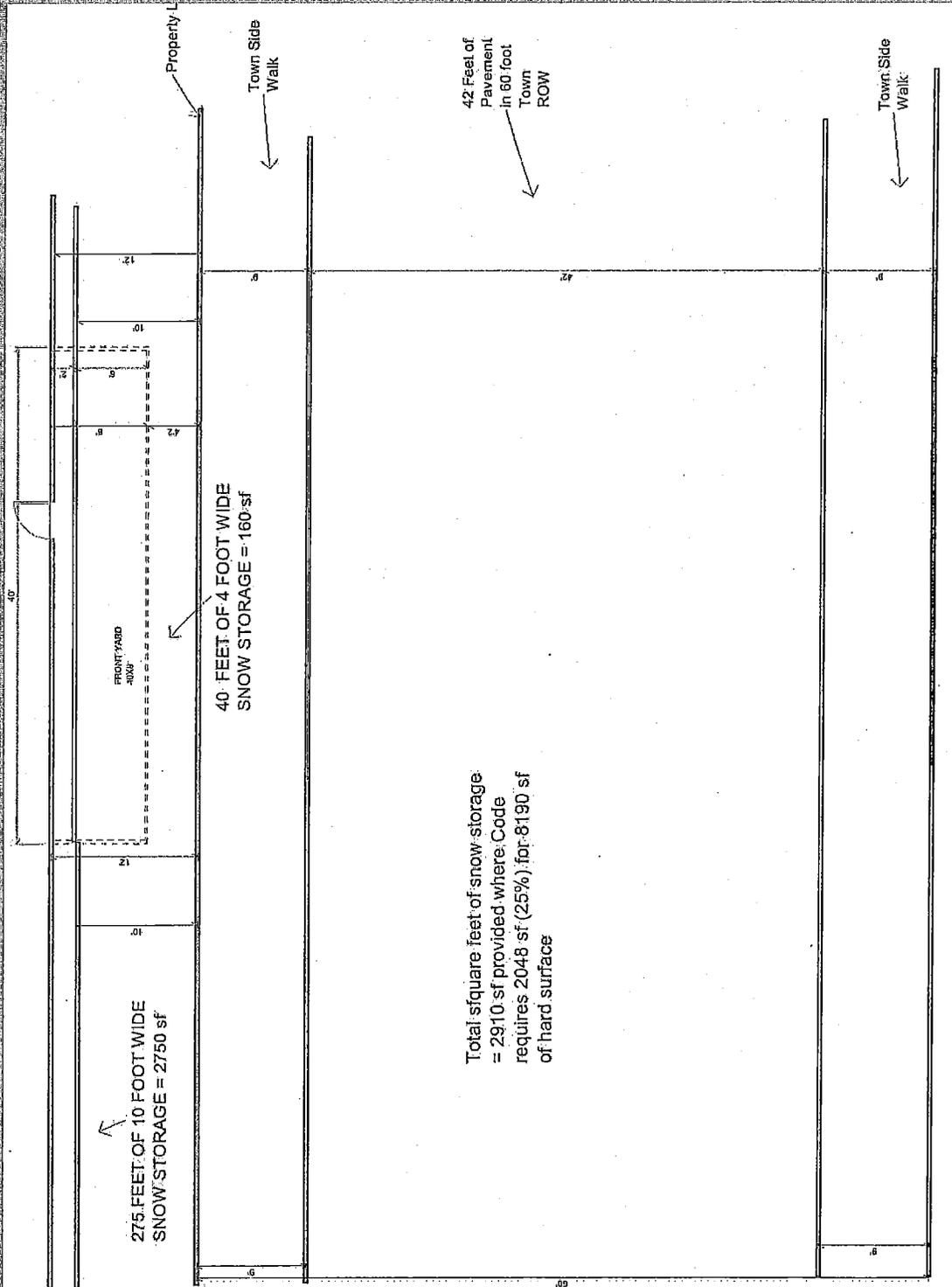
7. Xcel has agreed to remove either a 4 inch gas main that bisects the property and should have this completed in August. Their design engineering is not complete but they have indicated that a new transformer at the northeast corner of the property may be closer the 20 feet to a proposed hydrant. If the transformer can be set without this problem the fire hydrant can be moved a few feet.

8. Front Yard License or Concession: We are requesting by a license or some other means a modest exception to the snow storage easement that will allow us to create a 320 square foot front yard for Unit 31 (40 feet x 8 feet). The proposal is to carve out 240 square feet of a 3150 square foot snow storage easement (6 feet x 40 feet). For 40 feet of our 315 feet east boundary we would like the snow storage easement to be reduced to 4 feet instead of 10 feet in width (240 total ft). This is merely a quick flick of a plow blade if at all and will have almost zero impact on snow removal operations.

We find the first entrance to the mountainous region of the West in the valley of the Colorado River, where the mountains are so high and the climate so dry that the only way to cross them is by a long and narrow trail. The mountains are so high and the climate so dry that the only way to cross them is by a long and narrow trail. The mountains are so high and the climate so dry that the only way to cross them is by a long and narrow trail.







4th on 4th, Ltd.

July 23, 2015

BLUE RIVER VALLEY RANCH LAKES ASSN.,  
C/O Timothy Thompson  
PO BOX 1217  
SILVERHORNE CO 80492

RE: BO BO Ditch

Dear Mr. Thompson:

This letter concerns the BO BO Ditch on the east side of the Blue River across from the Town Pavilion in Silverthorne. We presume that this Ditch is for the benefit of your subdivision. It is not correct to have directed this letter to the wrong party and would appreciate your letting me know.

Blue River's Edge Condominiums at Silverthorne is completing the approval process with the Town of Silverthorne for a permit to install a vacant land on the east side of the Blue River across from the Town Pavilion. A part of our infrastructure will include a drainage outlet pipe under the BO BO Ditch through land owned by Silverthorne. This pipe will carry filtered overflow water under the BO BO Ditch which we assume is used by your HOA by virtue of an easement to the B.O. Sometime in the next 30 months, probably one of migration season, when the ditch is dry, we plan to dig through and under the Ditch to place our pipe. Naturally, we will require things to exactly the condition we found them in. Should we require this remediation when the Ditch is flowing we will construct a culvert, dam to assure that the Ditch will transport water to all times.

We would like you to acknowledge our plan by signing below and returning the extra copy of this letter enclosed herewith. If you would like to talk or meet please let me know (phone - 303-906-5552).

Thank you

Sincerely Yours,

4TH ON 4TH, LTD.

By: Lawrence Feltman, Member/Manager

BLUE RIVER VALLEY RANCH LAKES ASSN. hereby acknowledges that it transports migration water through the BO BO Ditch on the east side of the Blue River across from Silverthorne Town Pavilion. We understand that in conjunction with overflow drainage for Blue's Edge Condominiums, 4th On 4th, Ltd. will be crossing under the Ditch with a drainage pipe and will complete this work in accordance with this letter. We hereby approve of this plan provided 4th On 4th, Ltd. holds us harmless from any and all claims that may result from the construction and installation contemplated herein.

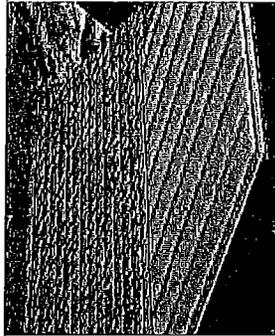
BLUE RIVER VALLEY RANCH LAKES ASSN.

By:

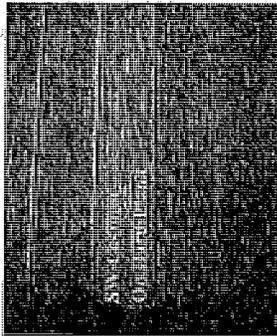
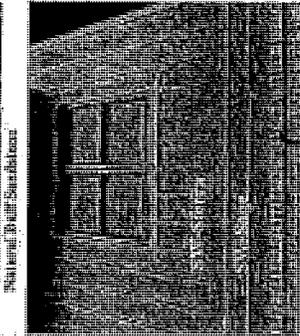
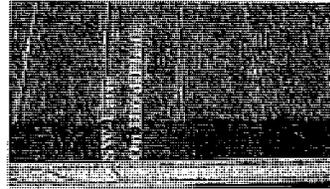
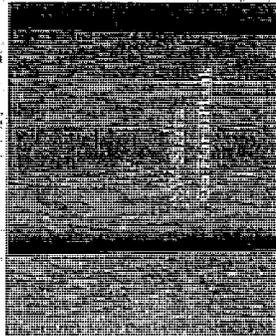
Date

By:

P.O. Box 766, Frisco Colorado 80443 • Tel. 303-906-5553 • Fax 877-553-7652 • larry7@comcast.net



Architectural Weathered Wood Sillings and Metal Roof





July 23, 2015

Larry Feldman  
River's Edge at Silverthorne  
PO Box 766  
Frisco, CO 80443

Re: River's Edge at Silverthorne Soils Report

Dear Mr. Feldman:

Per your request, I have reviewed a copy of the soils report for Lot 3R, Review Subdivision, Filing 2, Silverthorne, Colorado prepared by HP Geotech on March 17, 2008 (Job No. 406 0459). At this time, Backcountry Structural Engineering finds the above mention soils report adequate to design the foundation for the proposed River's Edge at Silverthorne condominiums. Prior to placement of concrete, the geotech engineer shall verify the suitability of the underlying material to support the foundation and shall approve bearing material before foundation installation. If the geotech engineer determines that such design criteria are inappropriate for the building, revisions may be required to the foundation design. If you have any additional questions, please feel free to contact me at 970-333-1511.

Sincerely,

Patrick Giberson, PE  
President

River's Edge Condominiums

PT2015-12

The transformer that will serve the new building will be located next to the existing transformer that serves the Town of Silverthorne pump building. The transformer will extend into the highlighted pie shaped area on the attached print. The pie shaped area will need to be designated a utility easement.

Xcel Energy's transformers and switch cabinet need to maintain 20 ft. of clearance from the fire hydrant. The proposed hydrant is right at 20 ft. from the existing transformer and switch cabinet, but will be too close to the new transformer. The direction that the doors open limit the configuration of how the new transformer can be located. The hydrant will need to be located so that it is at least 20' from the transformer.

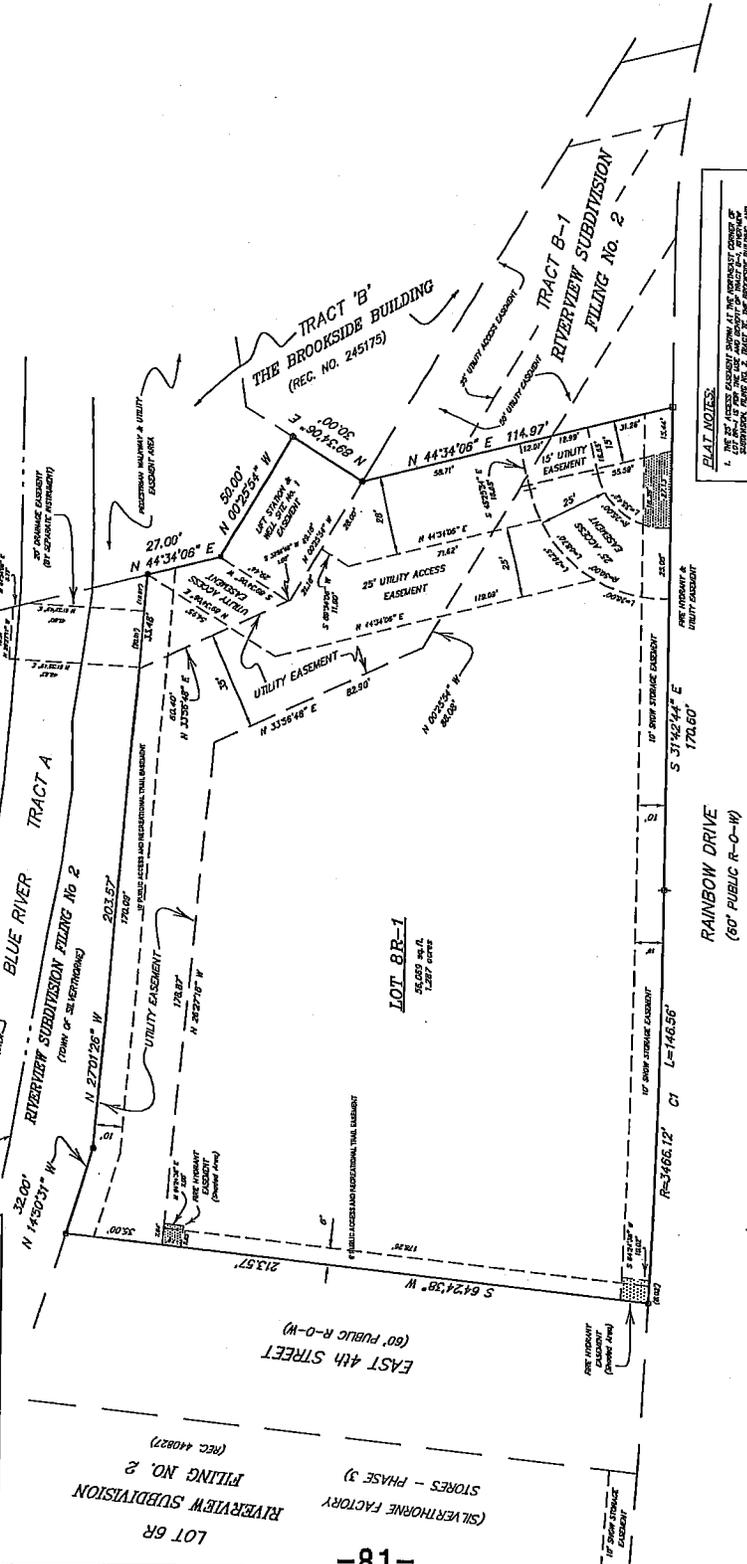
Loran Vawser

Designer/Mtn. Div.

# RIVER'S EDGE AT SILVERTHORNE

A FINAL PLAT OF  
A RESUBDIVISION OF LOT 8R  
RIVERVIEW SUBDIVISION, FILING NO. 2

ACCORDING TO THE PLAT RECORDED AT REC. NO. 440827  
TOWN OF SILVERTHORNE, SUMMIT COUNTY, COLORADO



**PLAT NOTES:**

- THE PLAT IS FOR THE RESUBDIVISION OF LOT 8R-1, THE UNDIVIDED INTEREST OF WHICH IS OWNED BY THE TOWN OF SILVERTHORNE, SUMMIT COUNTY, COLORADO. THE PLAT IS SUBJECT TO THE EASEMENTS AND RESTRICTIONS SET FORTH IN THE INSTRUMENTS REFERENCED HEREIN.
- ALL EASEMENTS REFERENCED HEREIN ARE TO BE CONSIDERED AS PART OF THE PLAT AND SHALL BE CONSIDERED AS PART OF THE PLAT.
- THE PLAT IS SUBJECT TO THE EASEMENTS AND RESTRICTIONS SET FORTH IN THE INSTRUMENTS REFERENCED HEREIN.
- THE PLAT IS SUBJECT TO THE EASEMENTS AND RESTRICTIONS SET FORTH IN THE INSTRUMENTS REFERENCED HEREIN.

**SUBDIVIDER'S CERTIFICATE**

I, the undersigned, being duly qualified, do hereby certify that the above plat was prepared by me or under my direct supervision and that I am a duly qualified and licensed surveyor in the State of Colorado.

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

**LEGEND**

- FOUND NO. 4 REBAR & YELLOW PLASTIC CAP (P.L.S. 1524)
- FOUND NO. 4 REBAR & RED PLASTIC CAP (P.L.S. 1524)
- FOUND NO. 4 REBAR & BLUE PLASTIC CAP (P.L.S. 1524)
- FOUND NO. 4 REBAR & YELLOW PLASTIC CAP (P.L.S. 1524)

**GRAPHIC SCALE**

1 inch = 20 feet

**CURVE TABLE**

CHORD	ARC	ANGLE	CHORD	ANGLE
1.0000	0.0175	1.0000	3.0000	0.0350
2.0000	0.0350	2.0000	4.0000	0.0525
3.0000	0.0525	3.0000	5.0000	0.0700
4.0000	0.0700	4.0000	6.0000	0.0875
5.0000	0.0875	5.0000	7.0000	0.1050

**CERTIFICATE OF RECORDATION AND CONVEYANCE**

I, the undersigned, being duly qualified, do hereby certify that the above plat was prepared by me or under my direct supervision and that I am a duly qualified and licensed surveyor in the State of Colorado.

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

**ACKNOWLEDGMENT**

I, the undersigned, being duly qualified, do hereby certify that the above plat was prepared by me or under my direct supervision and that I am a duly qualified and licensed surveyor in the State of Colorado.

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

**MARRIAGE HOLDER CERTIFICATE**

I, the undersigned, being duly qualified, do hereby certify that the above plat was prepared by me or under my direct supervision and that I am a duly qualified and licensed surveyor in the State of Colorado.

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

**TITLE COMPANY CERTIFICATE**

I, the undersigned, being duly qualified, do hereby certify that the above plat was prepared by me or under my direct supervision and that I am a duly qualified and licensed surveyor in the State of Colorado.

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

**TOWN OF SILVERTHORNE APPROVAL**

I, the undersigned, being duly qualified, do hereby certify that the above plat was prepared by me or under my direct supervision and that I am a duly qualified and licensed surveyor in the State of Colorado.

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

**CLERK AND RECORDERS CERTIFICATE**

I, the undersigned, being duly qualified, do hereby certify that the above plat was prepared by me or under my direct supervision and that I am a duly qualified and licensed surveyor in the State of Colorado.

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

**NOTARIAL PUBLIC CERTIFICATE**

I, the undersigned, being duly qualified, do hereby certify that the above plat was prepared by me or under my direct supervision and that I am a duly qualified and licensed surveyor in the State of Colorado.

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

**RECORDING INFORMATION**

BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_

FILE NO.: \_\_\_\_\_

DATE: \_\_\_\_\_







# RIVER'S EDGE CONDOMINIUMS SILVERTHORNE, COLORADO

130 Six Hill Road, Suite 140  
Breckenridge, Colorado 80424  
Phone: 970-463-6384 Fax: 970-463-4579



TETRA TECH

www.tetratech.com

**CLIENT INFORMATION:**  
4TH ON 4TH LTD  
PO BOX 766  
Frisco, CO 80443

**PROJECT LOCATION:**  
Silverthorne, Colorado

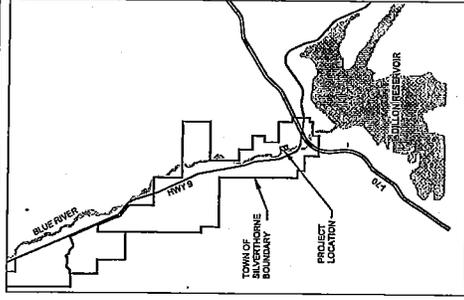
**CLIENT PROJECT No.:**

**TJ PROJECT No.:**  
133-128015-15001

**PROJECT DESCRIPTION / NOTES:**

**ISSUED:**  
FINAL SITE PLAN REVIEW - JULY 10, 2015  
FINAL SITE PLAN SUBMITTAL UPDATE - JULY 29, 2015

**VICINITY MAP:**



## PROJECT CONTACT INFORMATION

**WATER & SANITARY SEWER UTILITIES**  
TOWN OF SILVERTHORNE  
CONTACT: DAN GIBBEN  
PHONE: (970) 252-7334  
EMAIL: DAN.GIBBEN@SILVERTHORNE.ORG

**ELECTRIC & GAS UTILITIES**  
SILVERTHORNE WATER & SEWER  
CONTACT: JEN WASSER  
PHONE: (970) 252-4034  
EMAIL: JEN.WASSER@SILVERTHORNE.ORG

**TELEPHONE**  
CONTACT: DAN GIBBEN  
PHONE: (970) 252-7334  
EMAIL: DAN.GIBBEN@SILVERTHORNE.ORG

**ENGINE & COMMUNICATIONS UTILITIES**  
CENTURY LINK  
CONTACT: SAM TOULEY  
PHONE: (970) 820-1234  
EMAIL: SAM.TOULEY@CENTURYLINK.COM

**CABLE TV & COMMUNICATIONS UTILITY**  
CONTACT: CARLE COMMUNICATIONS  
PHONE: (970) 820-1234  
EMAIL: FLOD\_SUZANNE@CABLE.COMCAST.NET

## SHEET INDEX

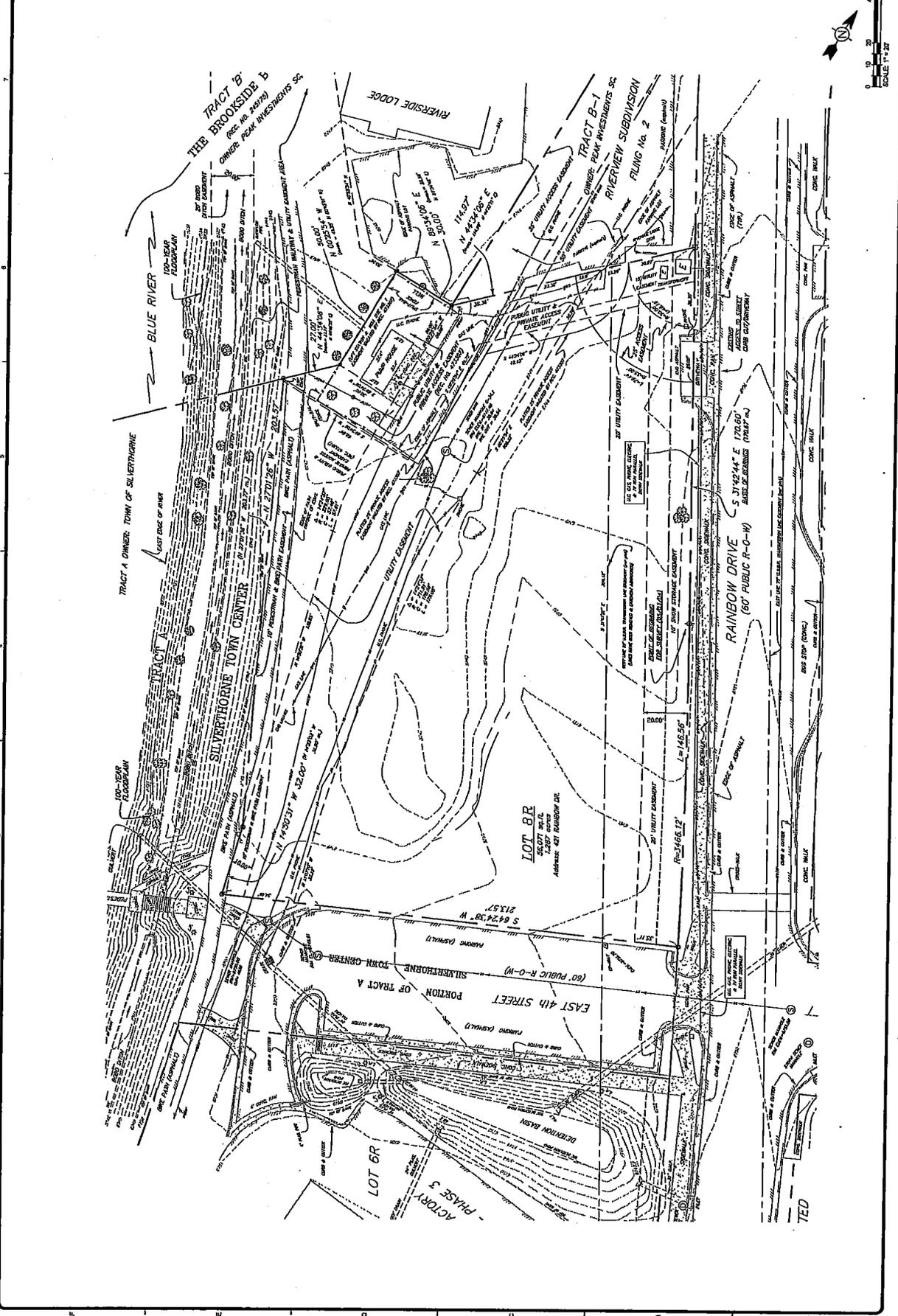
- 9100 COVER SHEET
- 9101 GENERAL NOTES
- C100 EXISTING CONDITIONS PLAN
- C101 EXISTING CONTROL PLAN
- C102 CIVIL SITE PLAN
- C103 GRADING & DRAINAGE PLAN
- C104 SANITARY SEWER MAIN PLAN & PROFILE
- C105 WATER MAIN PLAN & PROFILE
- C106 STORM SEWER LINE A PLAN & PROFILE
- C107 STORM SEWER LINE B PLAN & PROFILE
- C108 ROAD DETAIL SHEET
- C109 DRAINAGE & EROSION CONTROL DETAIL SHEET
- C500 WATER & SANITARY SEWER DETAIL SHEET
- C501
- C502

## LEGEND

- |  |                                 |  |                                |
|--|---------------------------------|--|--------------------------------|
|  | EXISTING PROPERTY LINE          |  | PROPOSED BUILDING              |
|  | EXISTING EASEMENT LINE          |  | PROPOSED ASPHALT PAVEMENT      |
|  | EXISTING BUILDING               |  | PROPOSED CONCRETE SIDEWALK     |
|  | EXISTING CONCRETE               |  | PROPOSED EDGE OF CURB/PAVEMENT |
|  | EXISTING EDGE OF ASPHALT        |  | PROPOSED CURB FLOW LINE        |
|  | EXISTING SANITARY SEWER MANHOLE |  | PROPOSED PARKING STALL STRIPE  |
|  | EXISTING WATER VALVE            |  | PROPOSED WATER LINE            |
|  | EXISTING STORM LINE             |  | PROPOSED GAS & PHONE LINE      |
|  | EXISTING GAS LINE               |  | PROPOSED 1' CONTOURS           |
|  | EXISTING PHONE LINE             |  | PROPOSED 5' CONTOURS           |
|  | EXISTING 1' CONTOURS            |  | PROPOSED SPOT ELEVATION        |
|  | EXISTING 5' CONTOURS            |  | PROPOSED SILT FENCE            |
|  | EXISTING CULVERT                |  | PROPOSED EROSION LOG           |
|  | EXISTING TREES                  |  | PROPOSED CULVERT STORM SEWER   |
|  |                                 |  | WATER VALVE                    |
|  |                                 |  | FIRE HYDRANT                   |



MARK	DATE	DESCRIPTION
T1918		FINAL SITE PLAN REVIEW
T1915		FINAL SITE PLAN SUBMITTAL UPDATE





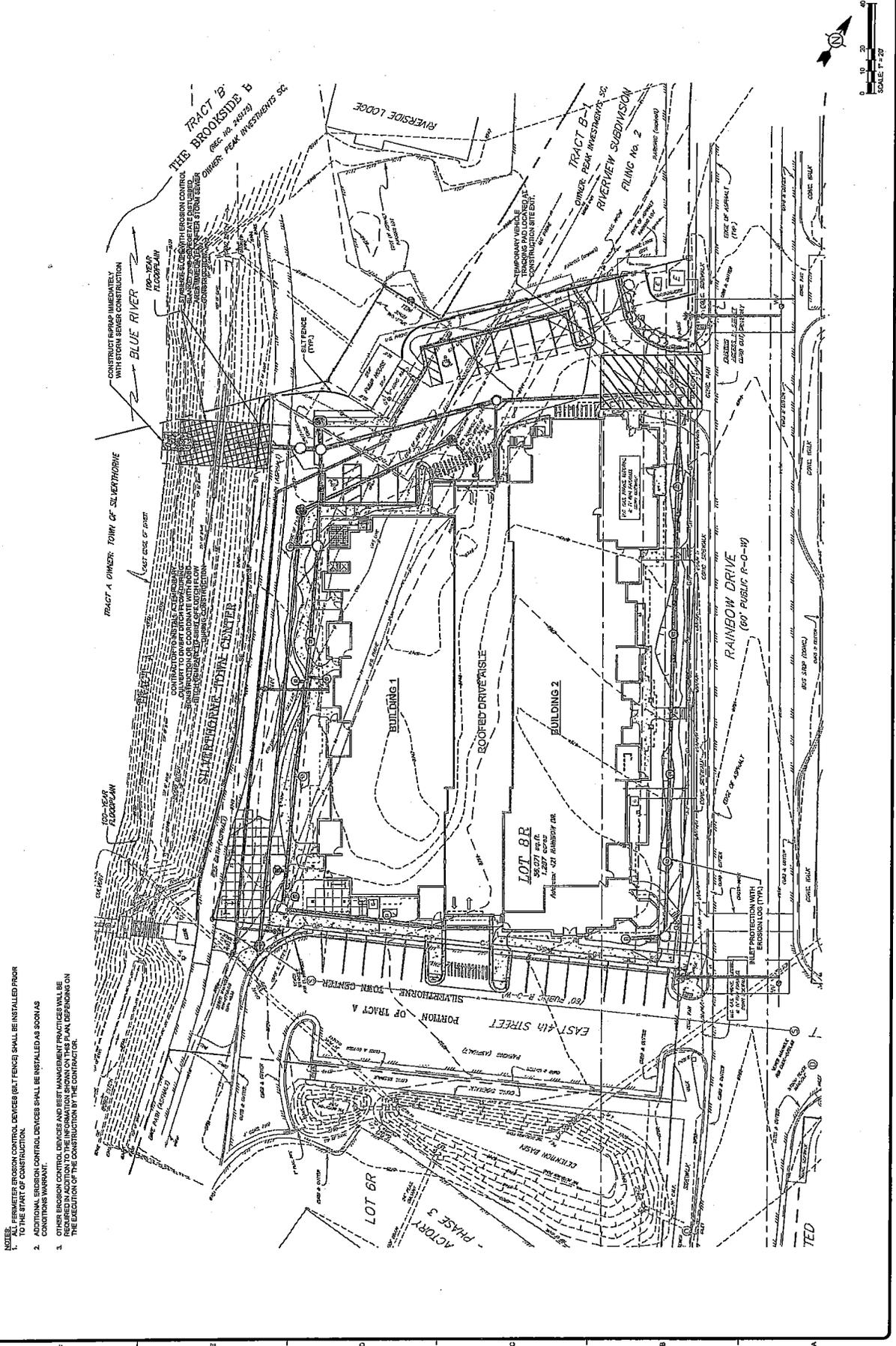
MARK	DATE	DESCRIPTION
7/18/15	FINAL SITE PLAN REVIEW	
7/29/15	FINAL SITE PLAN SUBMITTAL UPDATE	

EROSION CONTROL PLAN  
RIVERS EDGE CONDOMINIUMS  
SILVERTHORNE, GEORGIA

Project No.:	131-18015-0001
Designed By:	KAC
Drawn By:	KAC
Checked By:	CHD

C101

8/11/2015 9:46 AM - P:\112015\131-18015-0001\CAD\DWG\EROSION CONTROL PLAN.DWG - CROSS, KYLE



- NOTES:
1. ALL PERIMETER EROSION CONTROL DEVICES (SILT FENCES) SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.
  2. ALL PERIMETER EROSION CONTROL DEVICES SHALL BE INSTALLED AS SOON AS CONDITIONS WARRANT.
  3. OTHER EROSION CONTROL DEVICES AND BEST MANAGEMENT PRACTICES SHALL BE REQUIRED IN ADDITION TO THE INFORMATION SHOWN ON THIS PLAN, DEPENDING ON THE EXECUTION OF THE CONSTRUCTION BY THE CONTRACTOR.





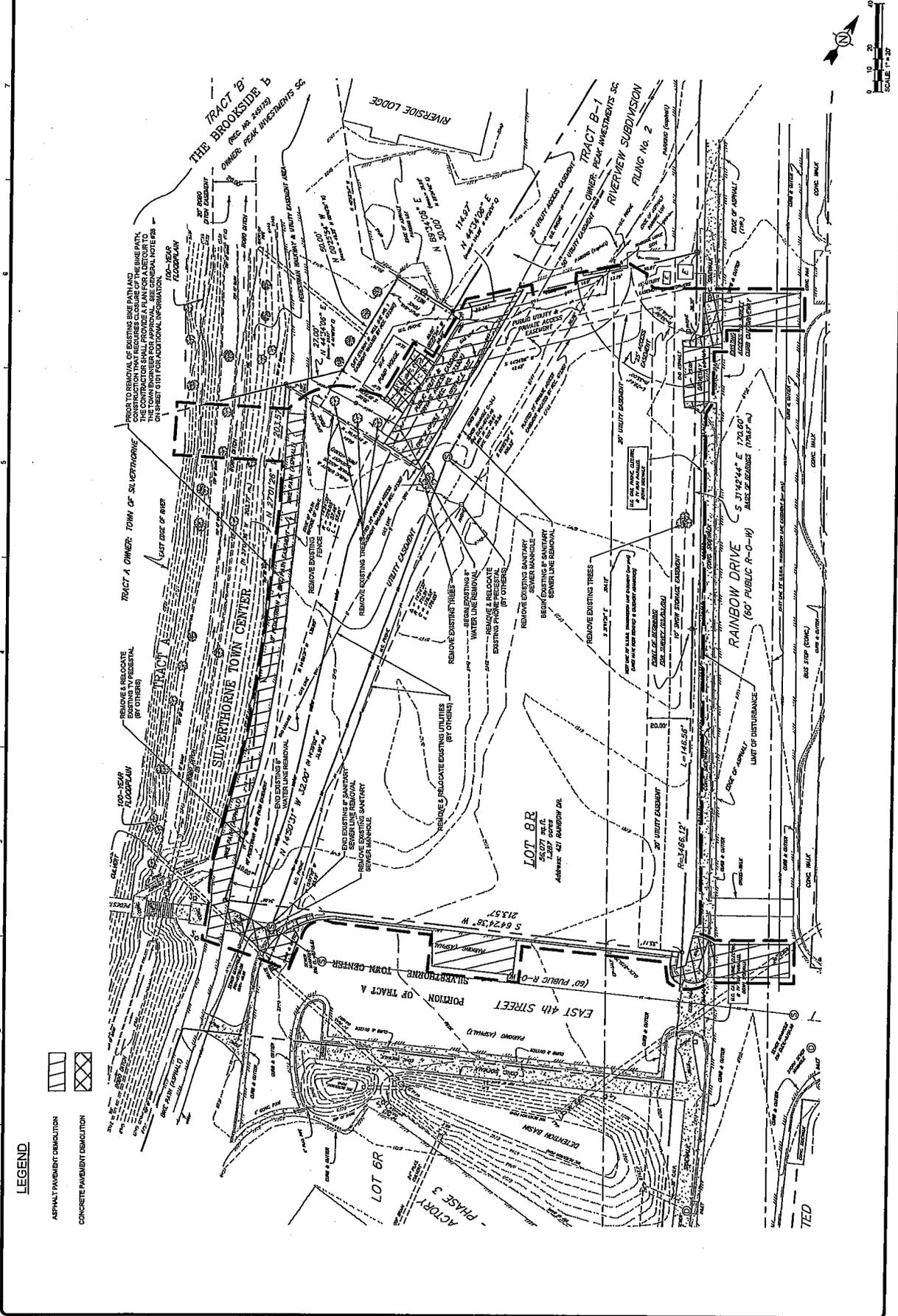
MARK	DATE	DESCRIPTION
70916	FINAL SITE PLAN REVIEW	
70915	FINAL SITE PLAN SUBMITTAL UPDATE	

THRU ON AHEAD  
 SILVERTHORNE CORRIDOR  
 RIVERS EDGE CONDOMINIUMS  
 DEMOLITION  
 PLAN

PROJECT NO.	TRACED/ISSUE NO.
C102	002
DATE OF ISSUE	DATE OF REVIEW
DATE OF ISSUE	DATE OF REVIEW

**C102**

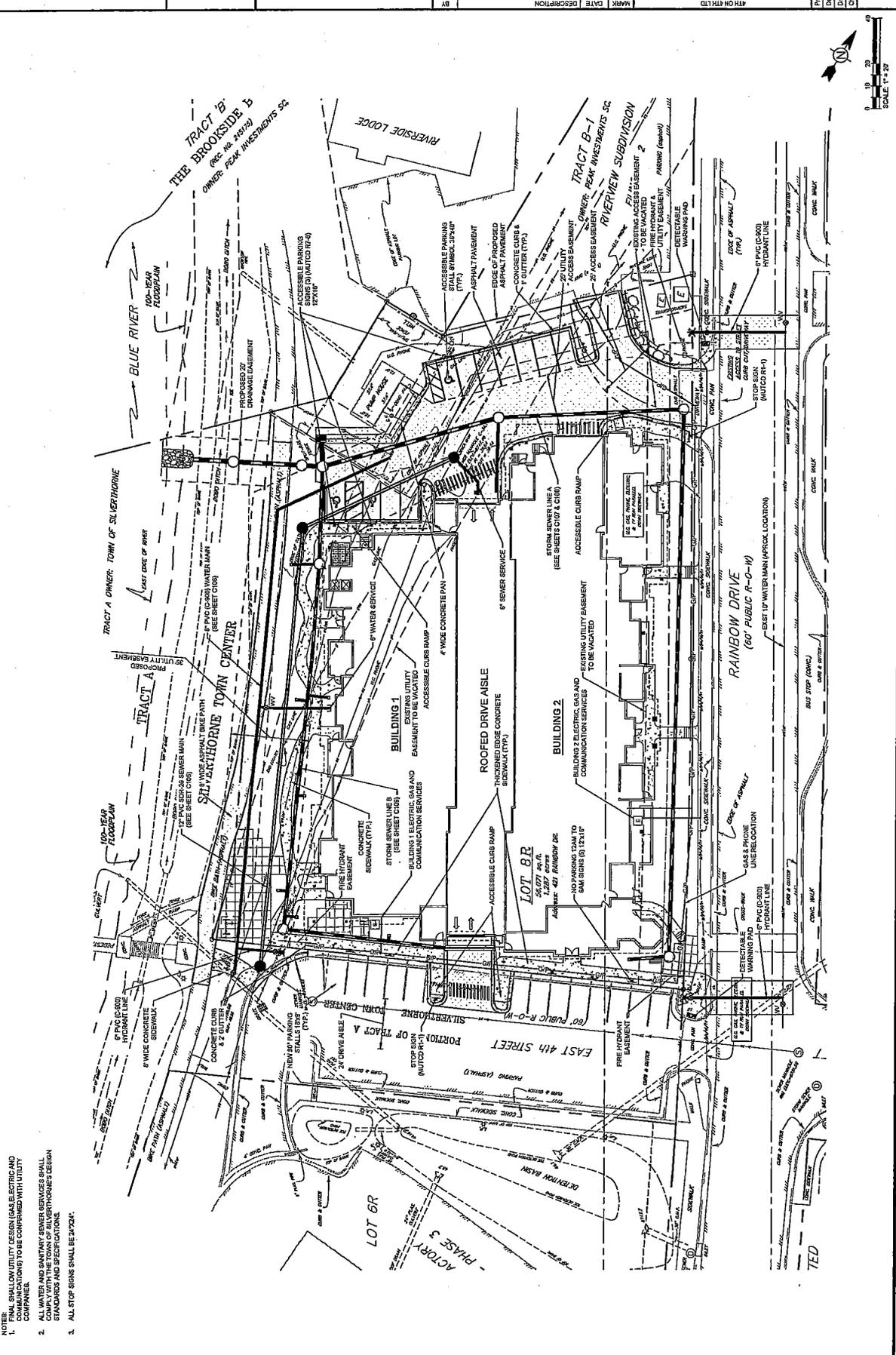
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**LEGEND**

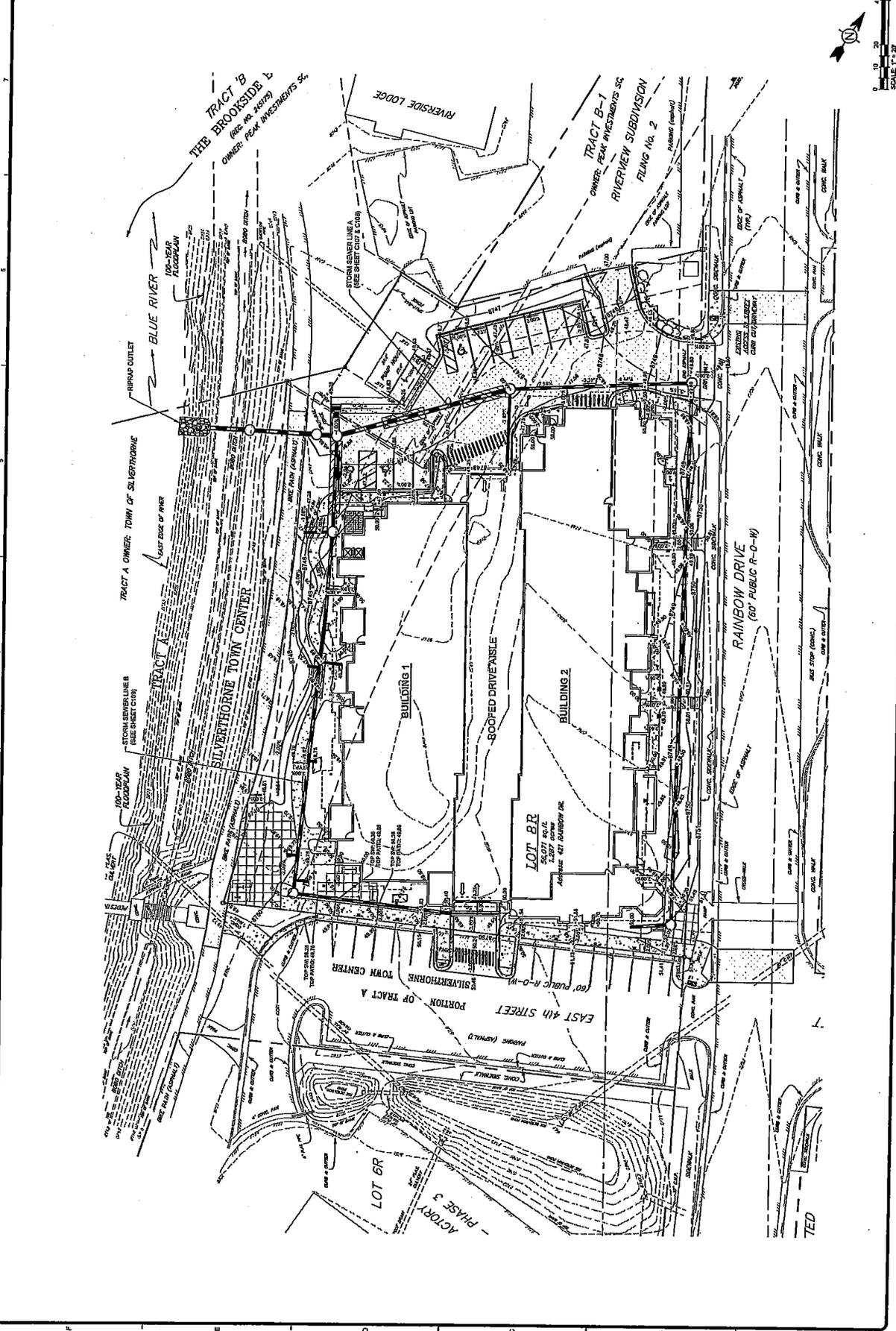
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- CONCRETE PAVEMENT DEMOLITION

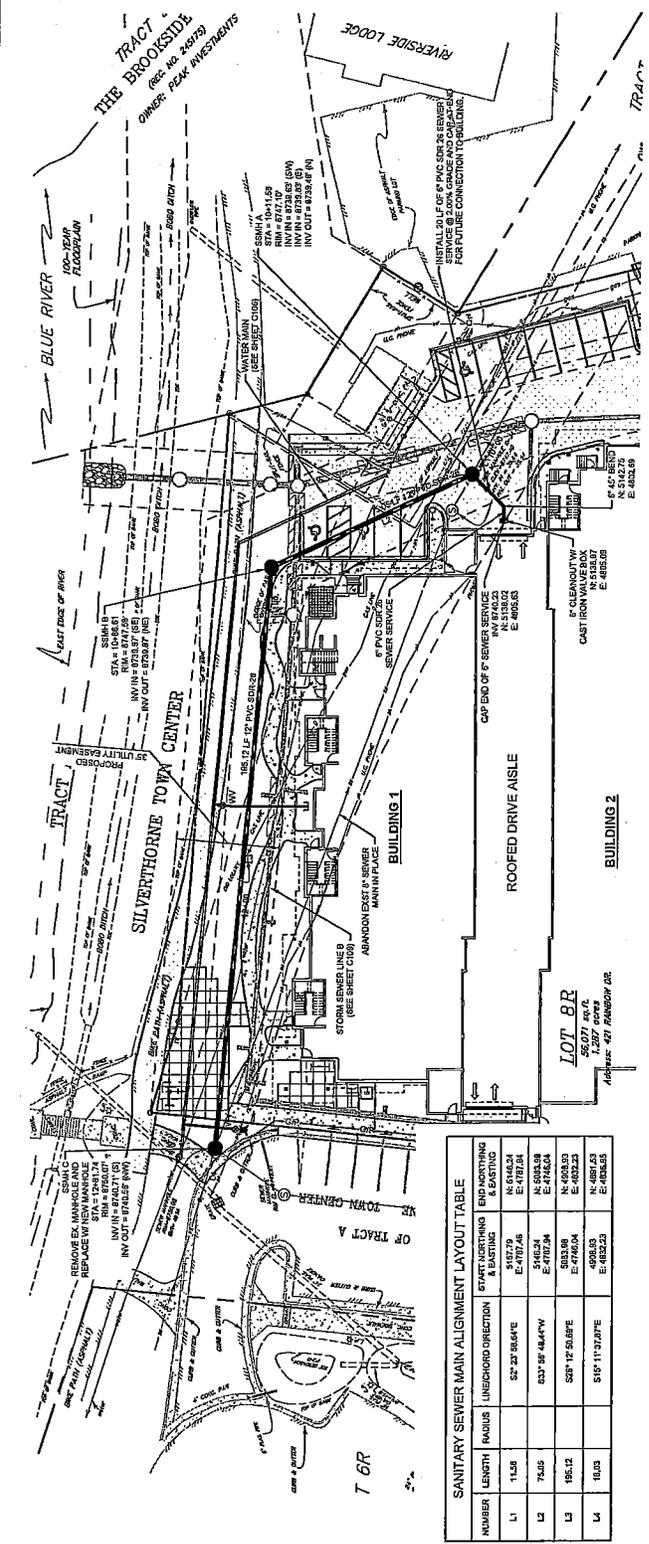
MARK	DATE	DESCRIPTION
77015	FINAL SITE PLAN REVIEW	
77015	FINAL SITE PLAN UPDATE	
77015	FINAL SITE PLAN QUANTAL UPDATE	



- NOTES:
1. ALL SMALL UTILITY DESIGN (GAS, ELECTRIC, AND COMMUNICATIONS) TO BE CONFIRMED WITH UTILITY COMPANIES.
  2. ALL WATER AND SANITARY SEWER SERVICES SHALL BE DESIGNED TO MEET THE LATEST APPLICABLE STANDARDS AND SPECIFICATIONS.
  3. ALL STOP SIGNS SHALL BE APPROX.

MARK	DATE	DESCRIPTION
T1/01S		FINAL SITE PLAN REVIEW
T1/01S		FINAL SITE PLAN SUBMITTAL UPDATE

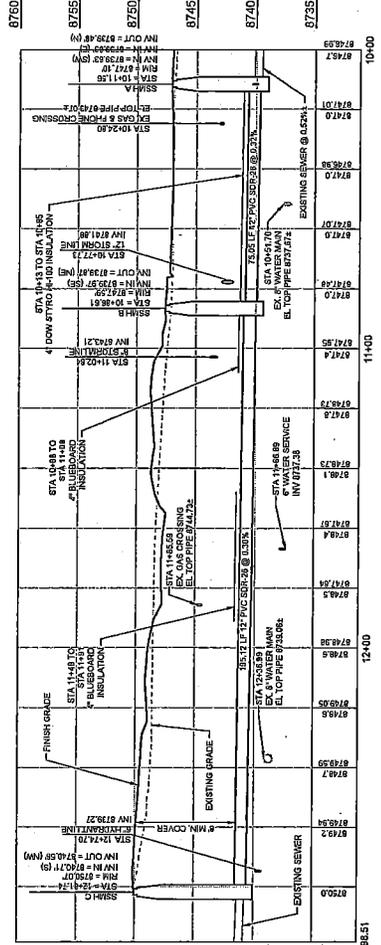




**SANITARY SEWER MAIN ALIGNMENT LAYOUT TABLE**

NUMBER	LENGTH	RADIUS	UNBORDERED DIRECTION	START NORTHING & EASTING	END NORTHING & EASTING
L1	11.58		S27°23'58.64\"/>		

- NOTES:**
- CONTRACTOR TO VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITY CROSSINGS AND PROVIDE CONTRIBUTION OF WATER AND SEWER LINES.
  - CONTRACTOR TO VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITY CROSSINGS AND PROVIDE CONTRIBUTION OF WATER AND SEWER LINES.
  - SEWER LINES TO BE FIELD VERIFIED BY CONTRACTOR PRIOR TO STARTING CONSTRUCTION OF WATER AND SEWER LINES.
  - INSTALL TRACER WIRE ON ALL PVC WATER AND SEWER LINES.



**PROFILE SANITARY SEWER**  
 SCALE: HORIZ. 1\"/>







MARK	DATE	DESCRIPTION
7/10/15		FINAL SITE PLAN REVIEW
7/29/15		FINAL SITE PLAN SUBMITTAL UPDATE

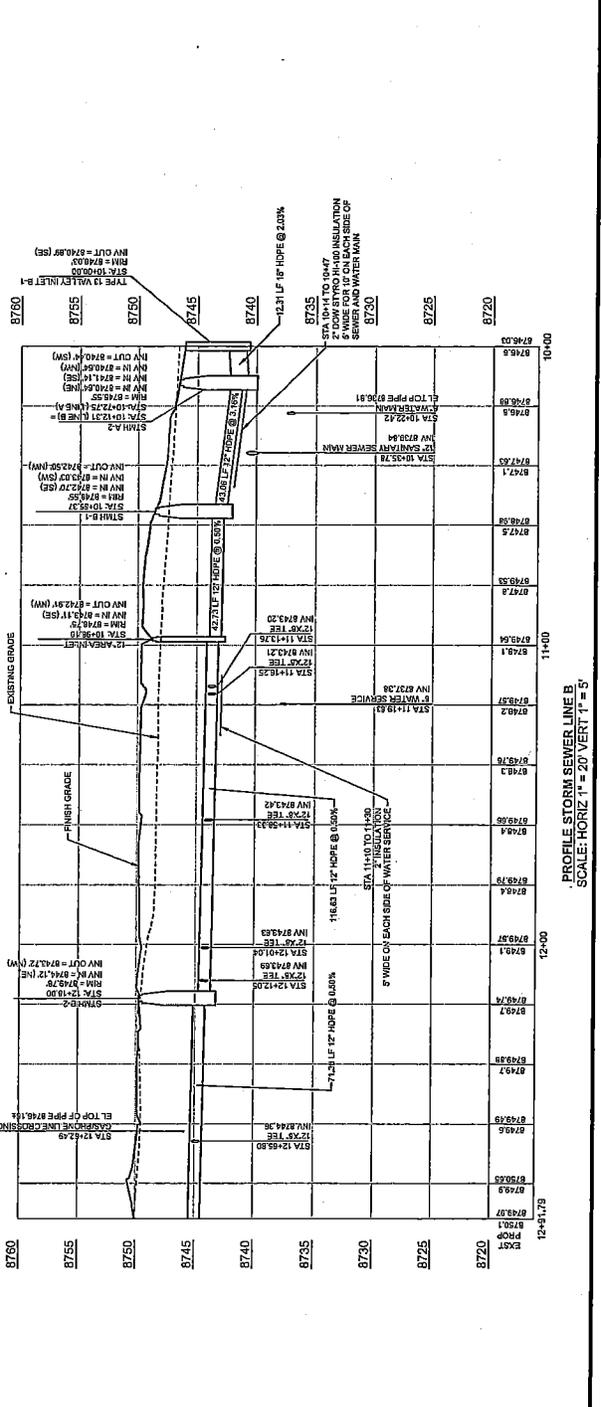
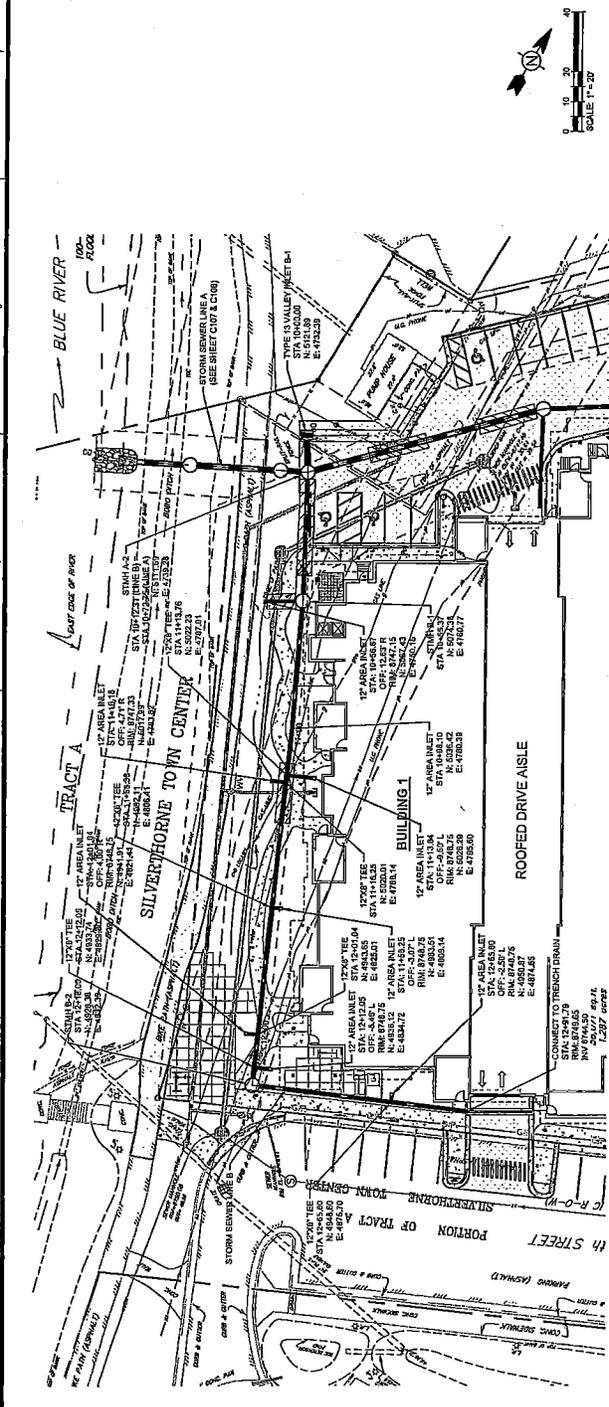
**STORM SEWER LINE B  
 PLAN & PROFILE**

RIVERS EDGE CONDOMINIUMS  
 SILVERHORNE, S.D. 57040

Project No.: 13-100-0001  
 Designed By: JCS  
 Drawn By: JCS  
 Checked By: JCS

**C109**

See Appendix 1, Loc.

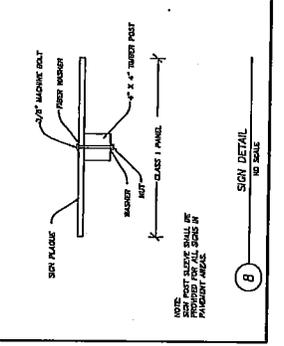
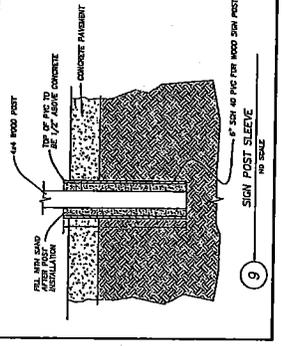
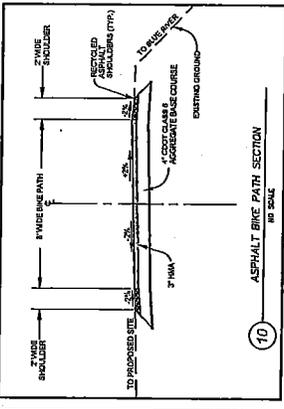
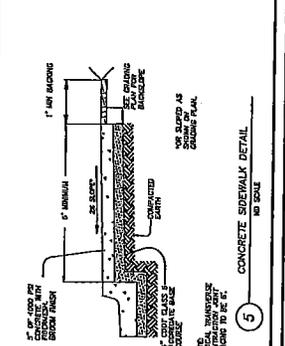
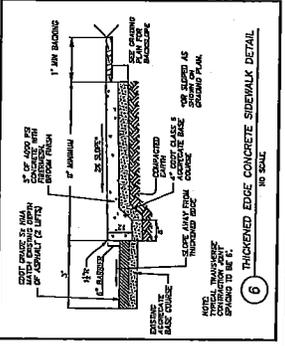
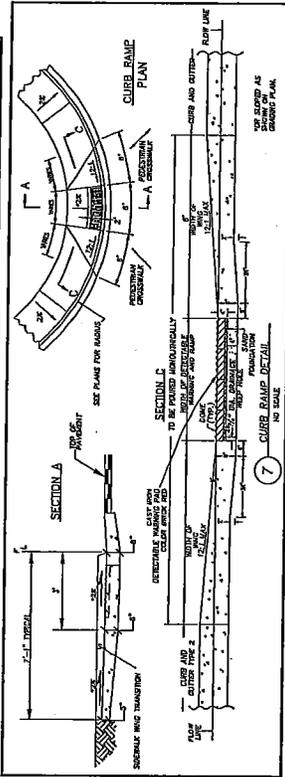
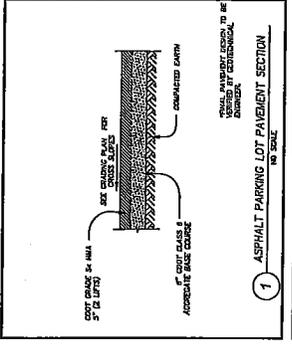
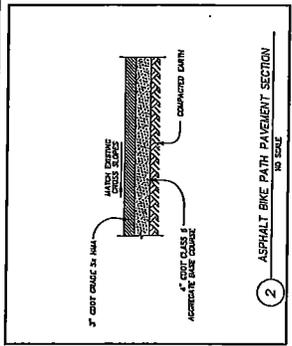
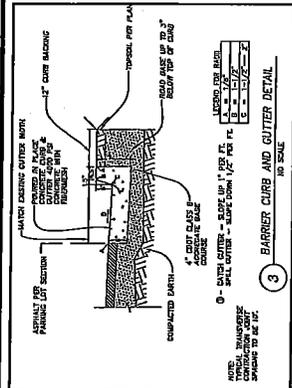
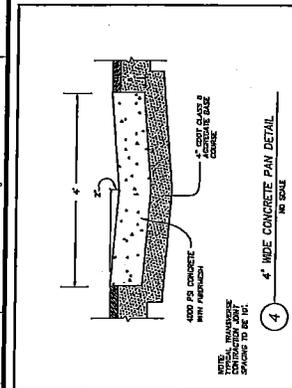




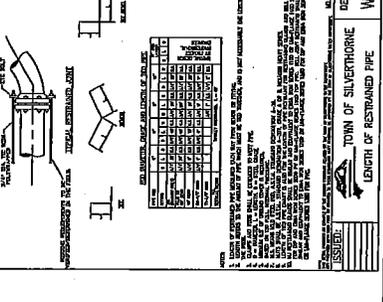
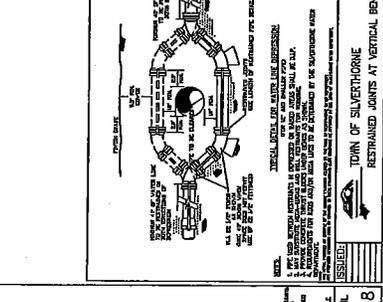
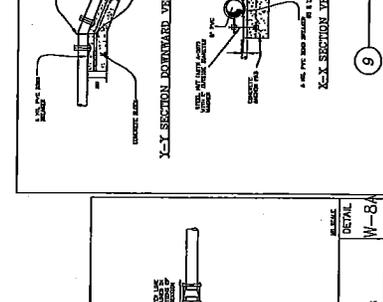
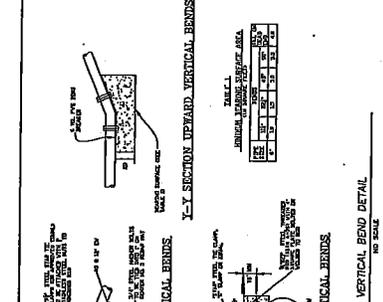
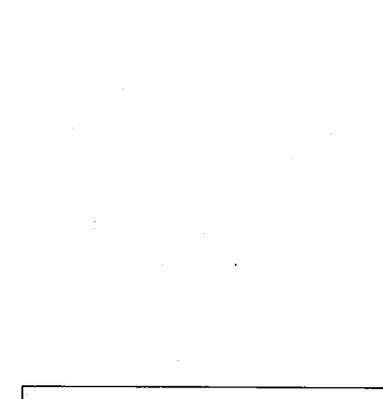
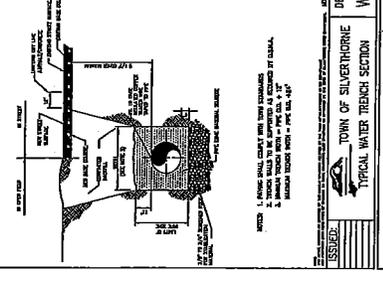
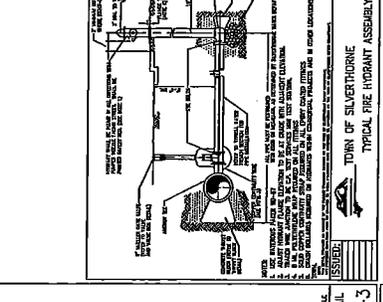
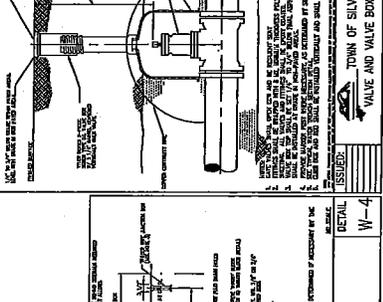
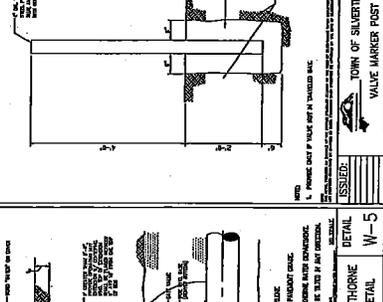
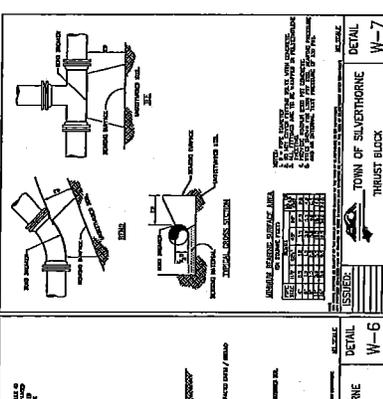
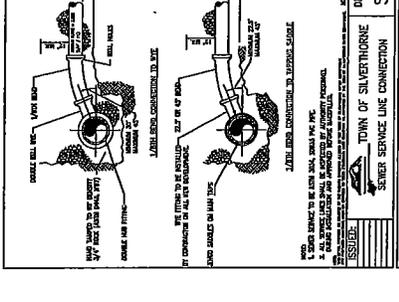
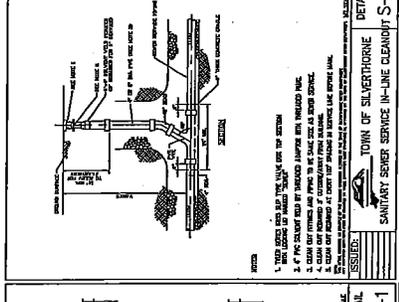
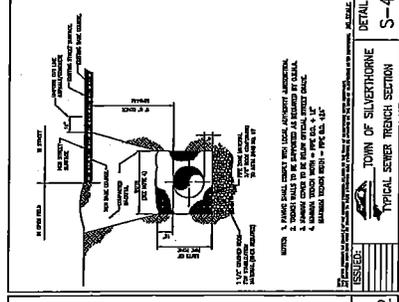
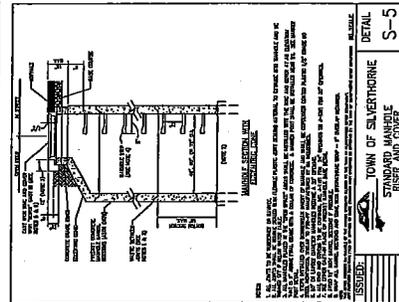
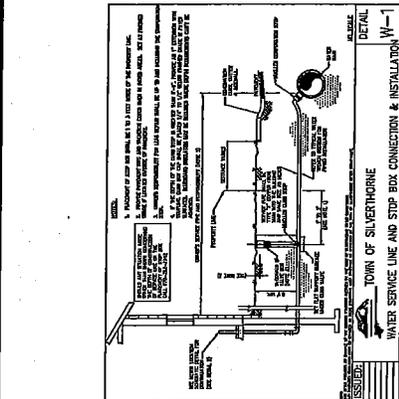
PROJECT NO.	132-0000-0001
DESIGNED BY	JAC
CHECKED BY	JAC
DATE	1/20/15
SCALE	AS SHOWN
DATE	1/20/15
SCALE	AS SHOWN

C500

REV. 1/20/15







The following pages are the applications for Minor Subdivision and Final Plat submitted on July 13, 2015. They have been superseded by slightly revised Architectural Plan pages A100, A101 and A102 and the Civil Plans which are inserted before this divider. To the extent that comments in the Blue Pages up front conflict with the following the Blue Pages are the corrected materials relative to CDD and other agency comments. All other pages with elevations etc. remain as an integral part of the respective applications.

Following receipt of the final approval in the Standard Planning Commission (June 16, 2010) and Town Council (June 24, 2010) and the completion of the necessary permit and construction phases, the applicant is responsible for ensuring that the proposed improvements are completed in accordance with the approved plans. The applicant is also responsible for ensuring that the proposed improvements are completed in accordance with the approved plans. The applicant is also responsible for ensuring that the proposed improvements are completed in accordance with the approved plans.

- 1. The Town will be responsible for providing the necessary utility services to the proposed improvements.
- 2. The applicant will be responsible for providing the necessary utility services to the proposed improvements.
- 3. The applicant will be responsible for providing the necessary utility services to the proposed improvements.
- 4. The applicant will be responsible for providing the necessary utility services to the proposed improvements.

The Town will be responsible for providing the necessary utility services to the proposed improvements. The applicant will be responsible for providing the necessary utility services to the proposed improvements. The applicant will be responsible for providing the necessary utility services to the proposed improvements. The applicant will be responsible for providing the necessary utility services to the proposed improvements.

- 5. The applicant will be responsible for providing the necessary utility services to the proposed improvements.
- 6. The applicant will be responsible for providing the necessary utility services to the proposed improvements.
- 7. The applicant will be responsible for providing the necessary utility services to the proposed improvements.
- 8. The applicant will be responsible for providing the necessary utility services to the proposed improvements.

The applicant will be responsible for providing the necessary utility services to the proposed improvements. The applicant will be responsible for providing the necessary utility services to the proposed improvements. The applicant will be responsible for providing the necessary utility services to the proposed improvements. The applicant will be responsible for providing the necessary utility services to the proposed improvements.



RIVER'S EDGE at SILVERTHORNE  
421 RAINBOW DRIVE SILVERTHORNE COLORADO

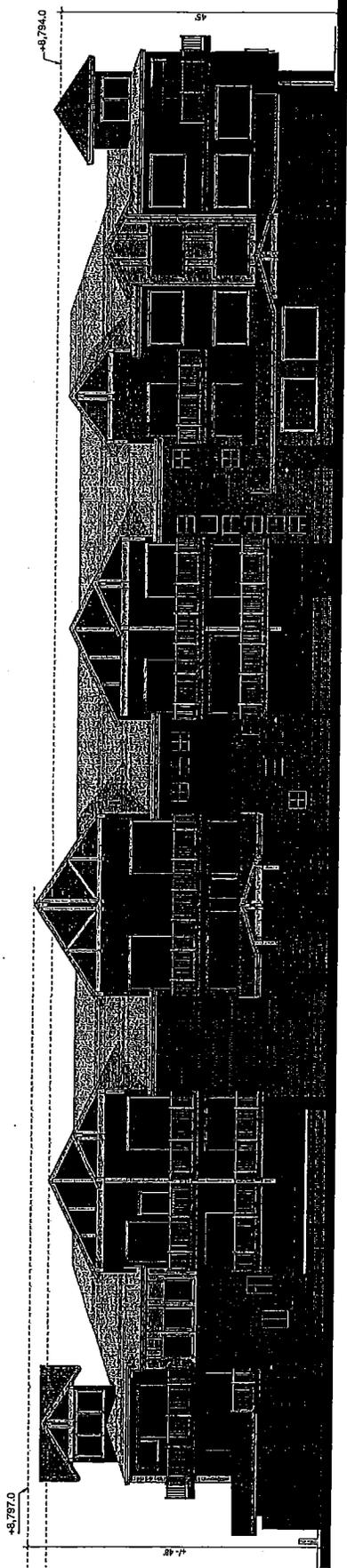


EST ARCHITECTS, P.C.  
1000 17TH AVENUE, SUITE 100  
BOULDER, COLORADO, 80502  
(303) 440-4211  
www.estarchitects.com

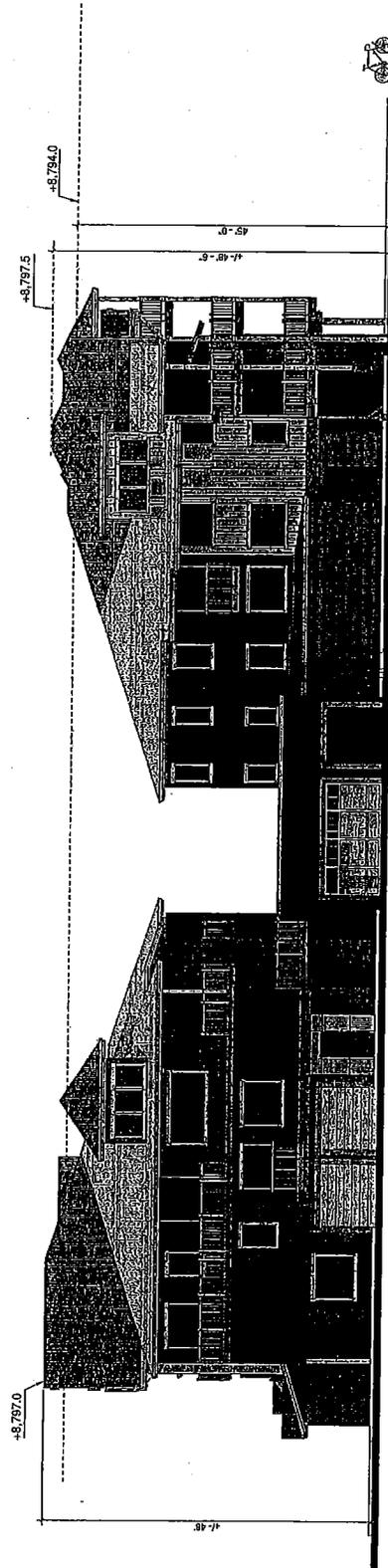
No.	Description	Date

File Number	6589
Issue Number	JUL/13/2015
Prepared By	Author
Checked By	Checker
Drawn By	
Client Name	ELEVATIONS
Sheet Number	ELEV1

JUL/13/2015



**EAST ELEVATION-**  
1/8" = 1'-0"



**NORTH ELEVATION-**  
1/8" = 1'-0"

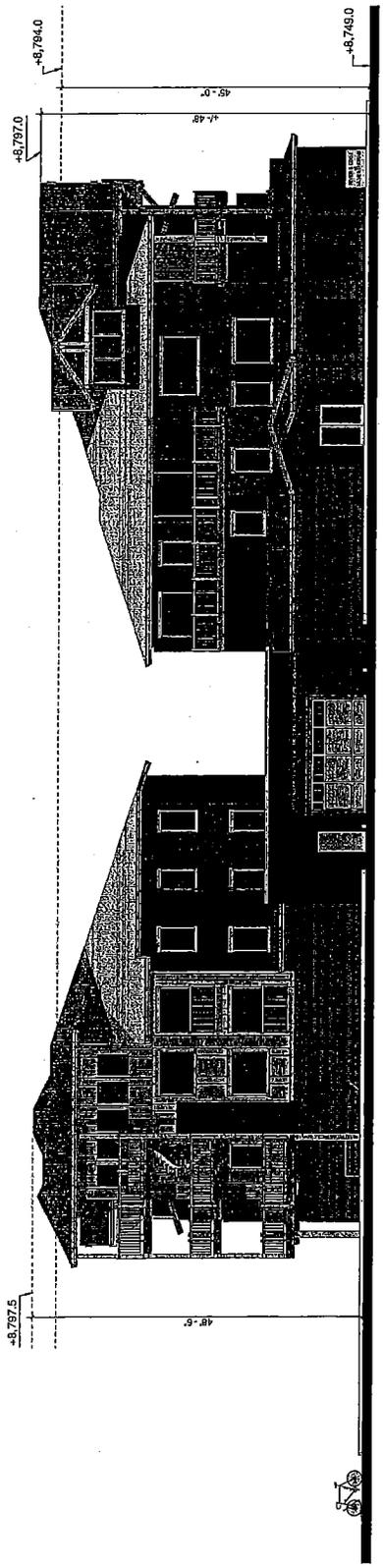




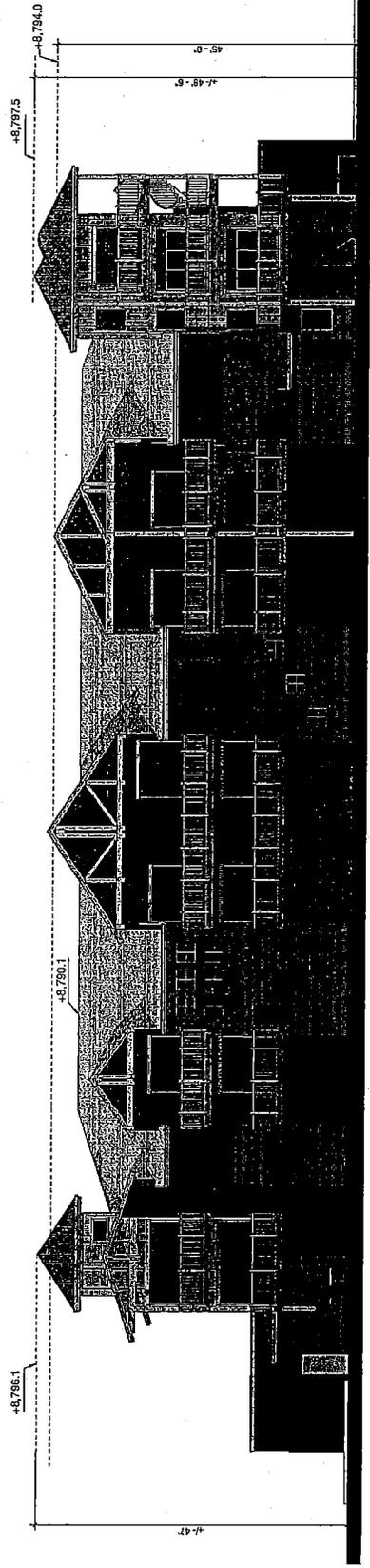
ERIC SMITH ASSOCIATES, P.C.  
 1918 SHERWIN STREET  
 DENVER, CO 80202  
 (303) 442-2514 (F) (303) 442-2515 FAX

DATE: 07/13/2015  
 REVISIONS

Job Number	6510
Date	JULY 2015
Client	CHRYSLER
Project	CHRYSLER
Sheet Title	Unimmed
Sheet Number	ELEV 2



**SOUTH ELEVATION -**  
 1/8" = 1'-0"

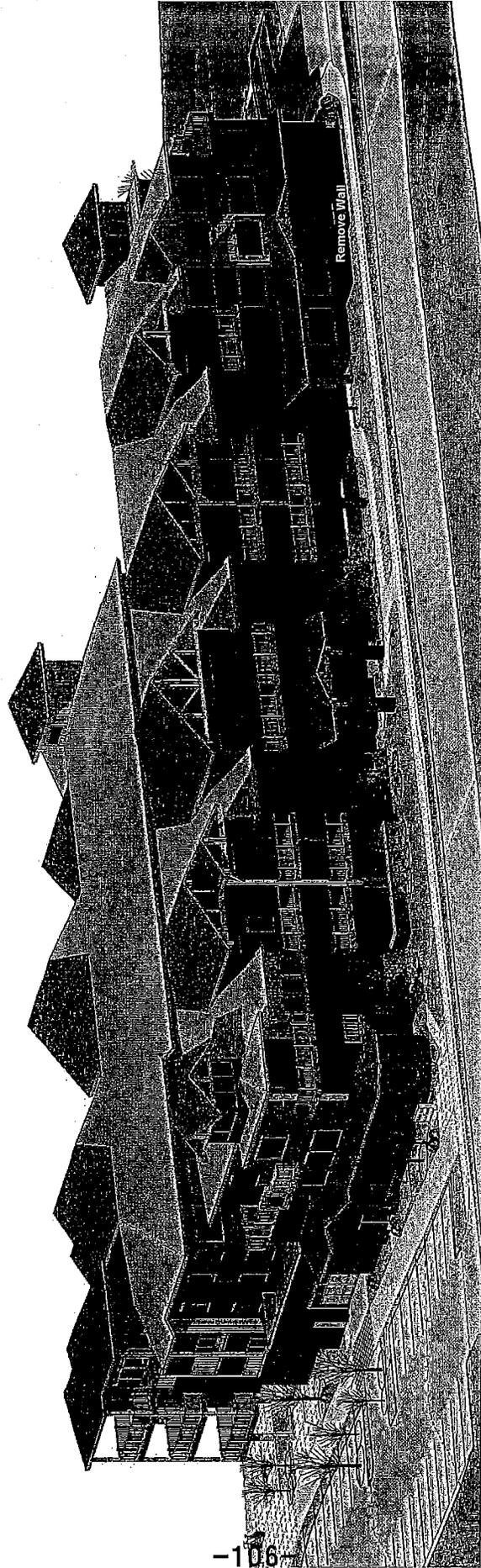


**WEST ELEVATION -**  
 1/8" = 1'-0"

JUL 13/2015



RIVER'S EDGE at  
SILVERTHORNE  
421 RAINBOW DRIVE  
SILVERTHORNE COLORADO



-106-

SE 1



EST ARCHITECTURAL, P.C.  
1919 SWEETWATER STREET  
BOULDER, COLORADO, 80502  
(303) 440-6644, (303) 440-1944 FAX

Job Number: 15013  
Date: MAY/29/2015  
Drawn By: Author  
Checked By: Checker  
Project File:

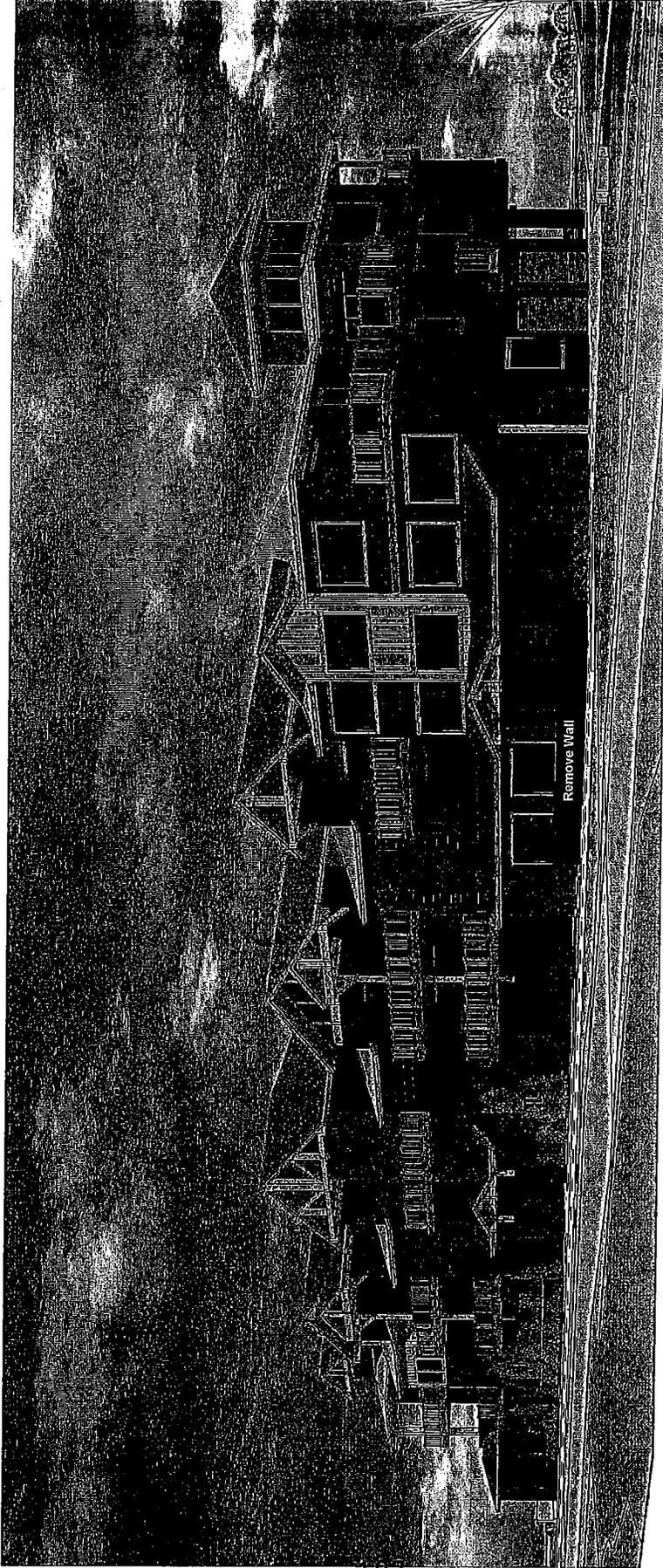
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3D SE 1

Sheet Number:

3D3

RIVER'S EDGE at  
SILVERTHORNE

421 RAINBOW DRIVE  
SILVERTHORNE COLORADO



**3D View NE**



EST SURVEYING & ENGINEERING, P.C.  
1070 S. UNIVERSITY STRAVER  
DENVER, COLORADO, 80202  
(303) 440-8811, (303) 442-9724 FAX

Job Number: 15013

Date: MAY/29/2015

Drawn By: Auditor

Checked By: Checker

Project Name:

Sheet Title:

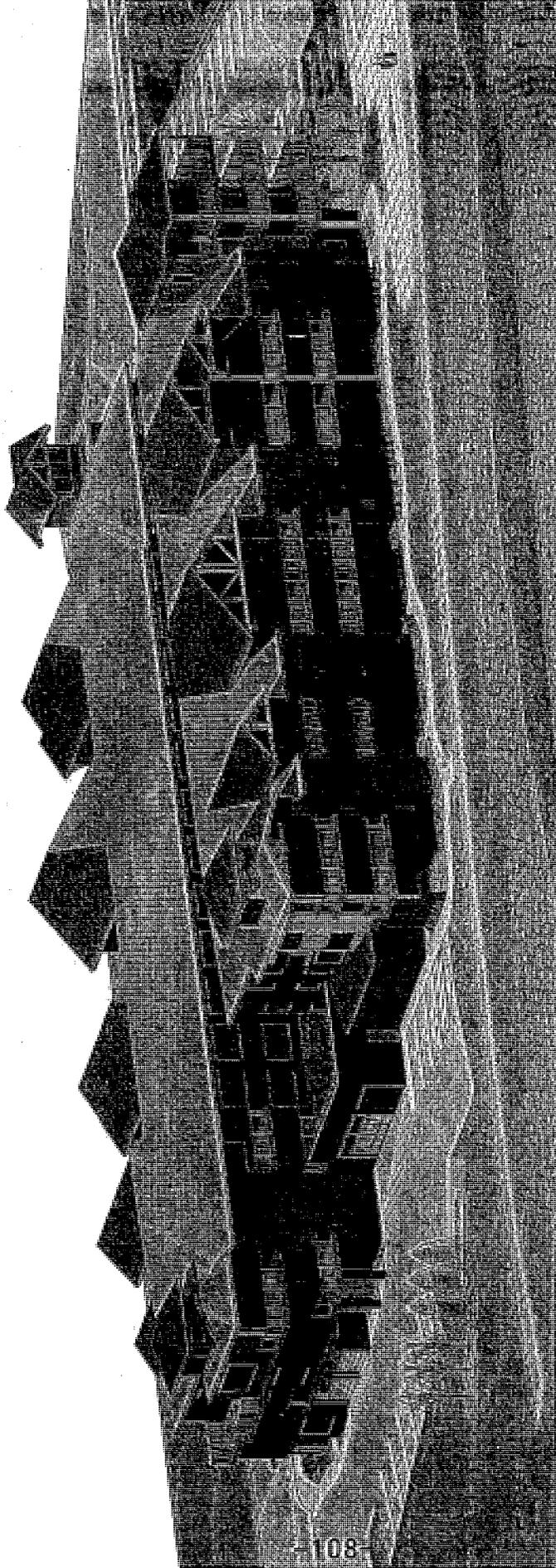
NE

Sheet Number:

3D5

RIVER'S EDGE at  
SILVERTHORNE

421 RAINBOW DRIVE  
SILVERTHORNE COLORADO



NW 1



ERIC SAFFRA ASSOCIATES, P.C.  
1000 17TH AVENUE, SUITE 200  
BOULDER, COLORADO 80502  
(303) 440-6464, (303) 440-7465 FAX

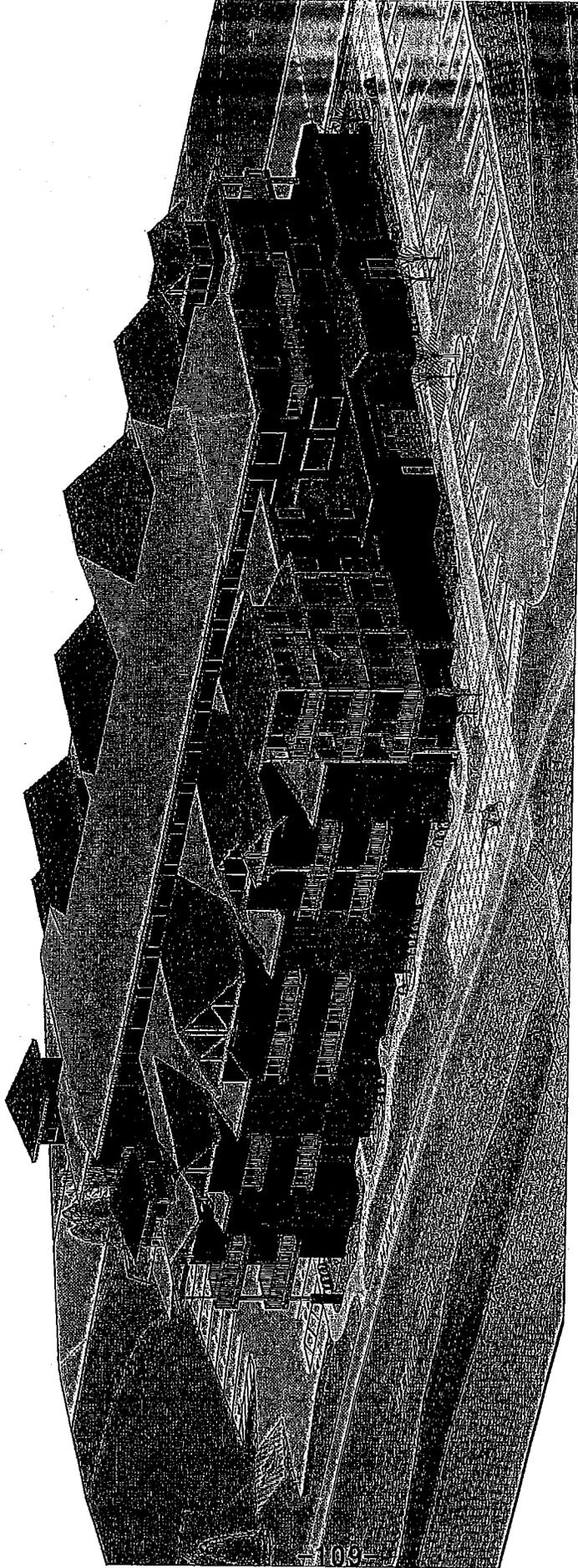
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Date: MAY/29/2015  
Drawn By: AULICER  
Checked By: Checkler  
Project Phase:

Sheet Title  
3D NW 1

Sheet Number

3D 2

RIVER'S EDGE at  
SILVERTHORNE  
421 RAINBOW DRIVE  
SILVERTHORNE COLORADO



SW 1



EST GROUP ASSOCIATES, P.C.  
10111 W. WASHINGTON AVENUE  
DENVER, COLORADO 80202  
(303) 440-4400 FAX (303) 440-4400

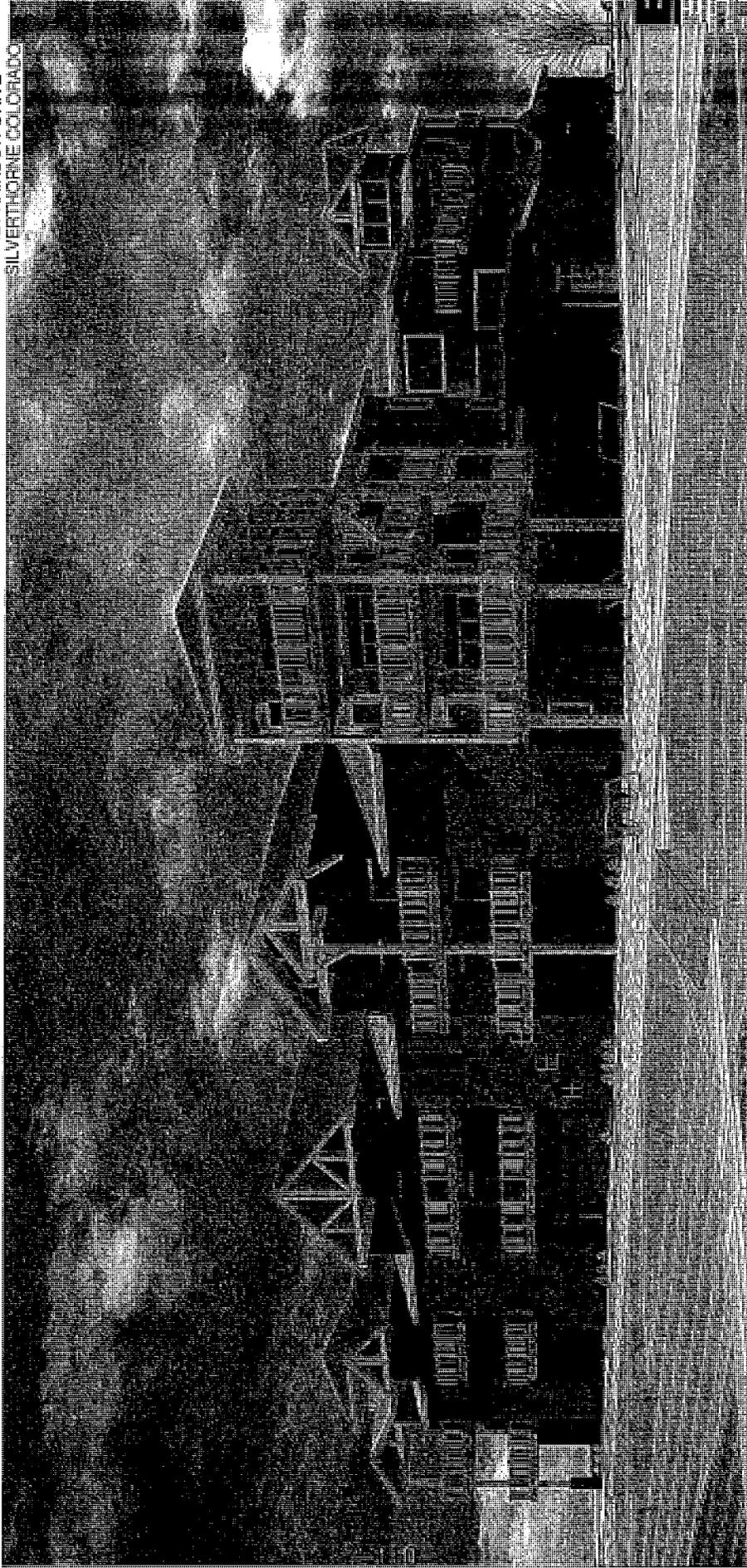
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Date: MAY/29/2015  
Drawn By: Auliker  
Checked By: Checker  
Project Name:

Sheet Title:  
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Sheet Number:  
3D4

RIVER'S EDGE at  
SILVERTHORNE

421 RAINBOW DRIVE  
SILVERTHORNE, COLORADO



EST  
1811 S. UNIVERSITY BLVD., SUITE 100  
DENVER, COLORADO 80202  
TEL: 303.733.1111  
FAX: 303.733.1112

PROJECT NAME: RIVER'S EDGE AT SILVERTHORNE  
DRAWING NO.: 3D7  
DATE: 10/11/98

PROJECT PHASE: SW  
SHEET NO.: 3D7

SW

3D View SW

Sheet Number

3D7

RIVER'S EDGE at  
SILVERTHORNE

421 RAINBOW DRIVE  
SILVERTHORNE COLORADO



**3D SOUTH**

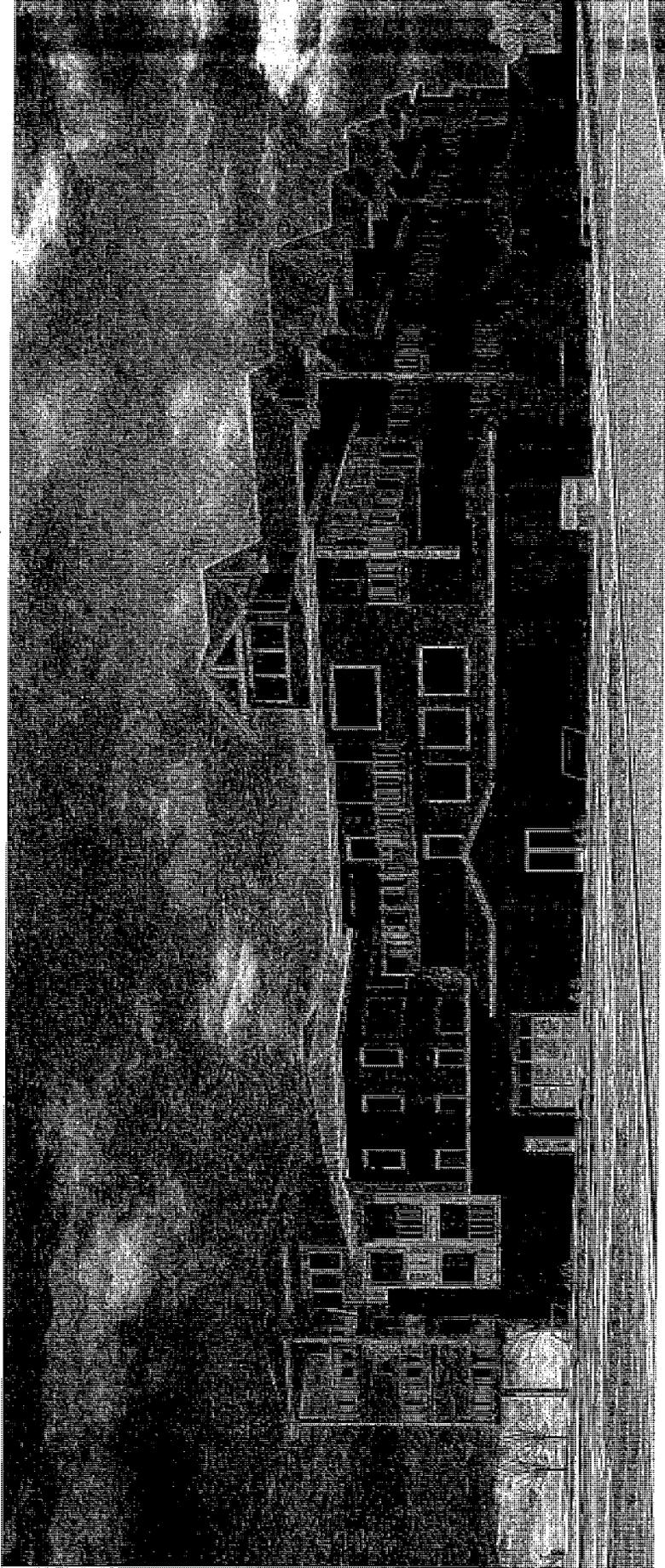
**EST**  
ENGINEERING & ARCHITECTURE, P.C.  
1874 S. WYOMING STREET  
BOULDER, COLORADO, 80502  
(303) 440-8800, (303) 440-8800 FAX

Job Number: 15013  
Date: MAY/29/2015  
Drawn By: Auditor  
Checked By: Checker  
Project Name:

Sheet Title:  
**SOUTH**

Sheet Number:  
**3D8**

RIVER'S EDGE at  
SILVERTHORNE  
421 RAINBOW DRIVE  
SILVERTHORNE COLORADO



EST ASSOCIATES, P.C.  
100 SOUTH BROADWAY  
SUITE 1000  
DENVER, COLORADO 80202  
TEL: 303.733.4444 FAX: 303.733.4444

Job Number: 15013  
Date: MAY 28/2015  
Drawn By: AJUDIC  
Checked By: CHICKER

Project Name: \_\_\_\_\_  
Sheet Title: \_\_\_\_\_

Sheet Number: \_\_\_\_\_

3D View SE

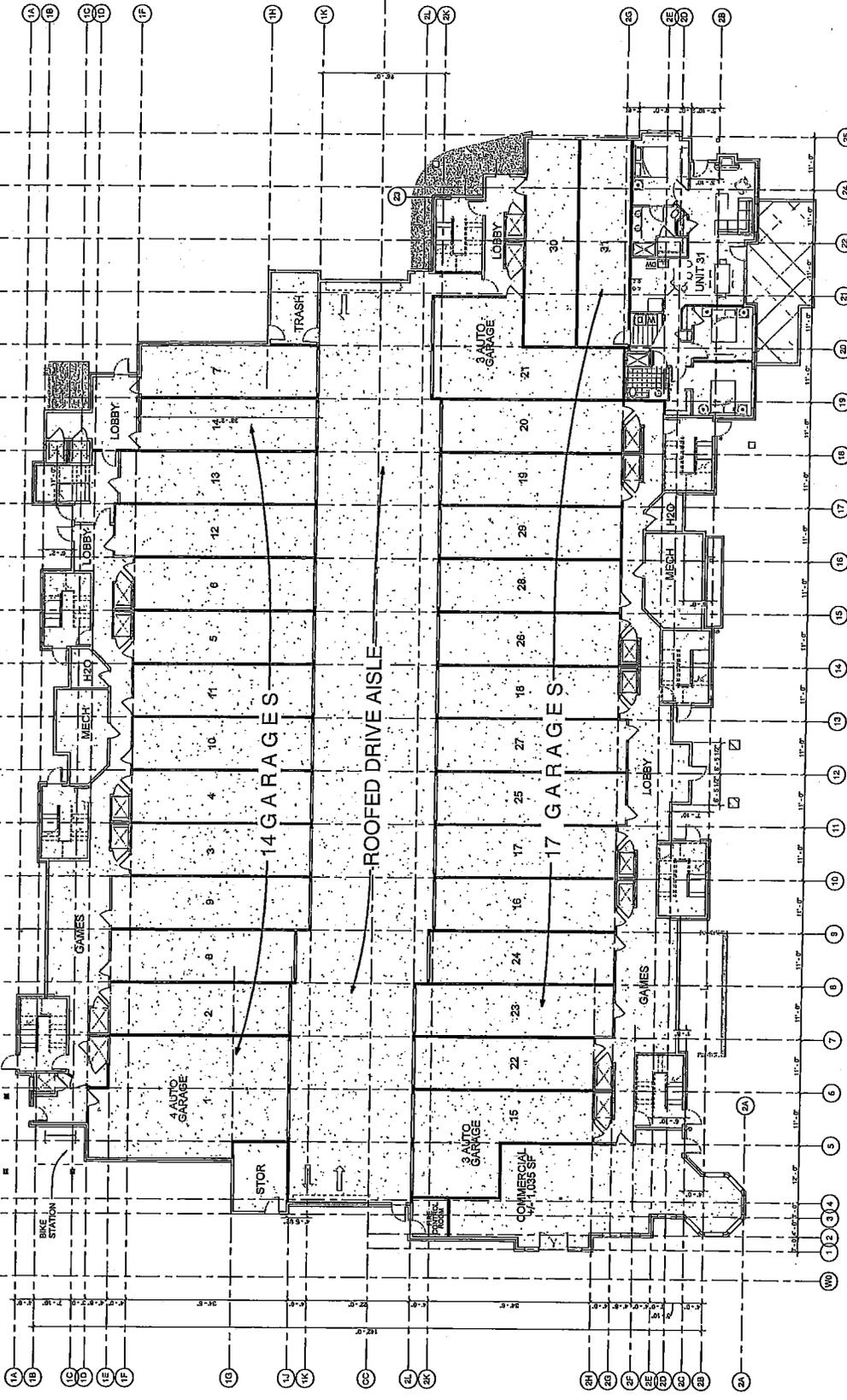
3D9

RIVERS EDGE at SILVERTHORNE  
 421 RAINBOW DRIVE  
 SILVERTHORNE COLORADO



ES7 ARCHITECTS, P.C.  
 1919 SEVENTH STREET  
 BOULDER, COLORADO 80502  
 (303) 442-9554 (303) 442-9745 FAX

Project Name: RIVERS EDGE at SILVERTHORNE  
 Project No.: 150119  
 Issue Date: JULY 01, 2015  
 Checked By: J.M.P.  
 Project Sheet: A110



100 LEVEL PLAN  
 1" = 10'-0"  
 0 5' 10' 20' 40'



JUL/01/2015

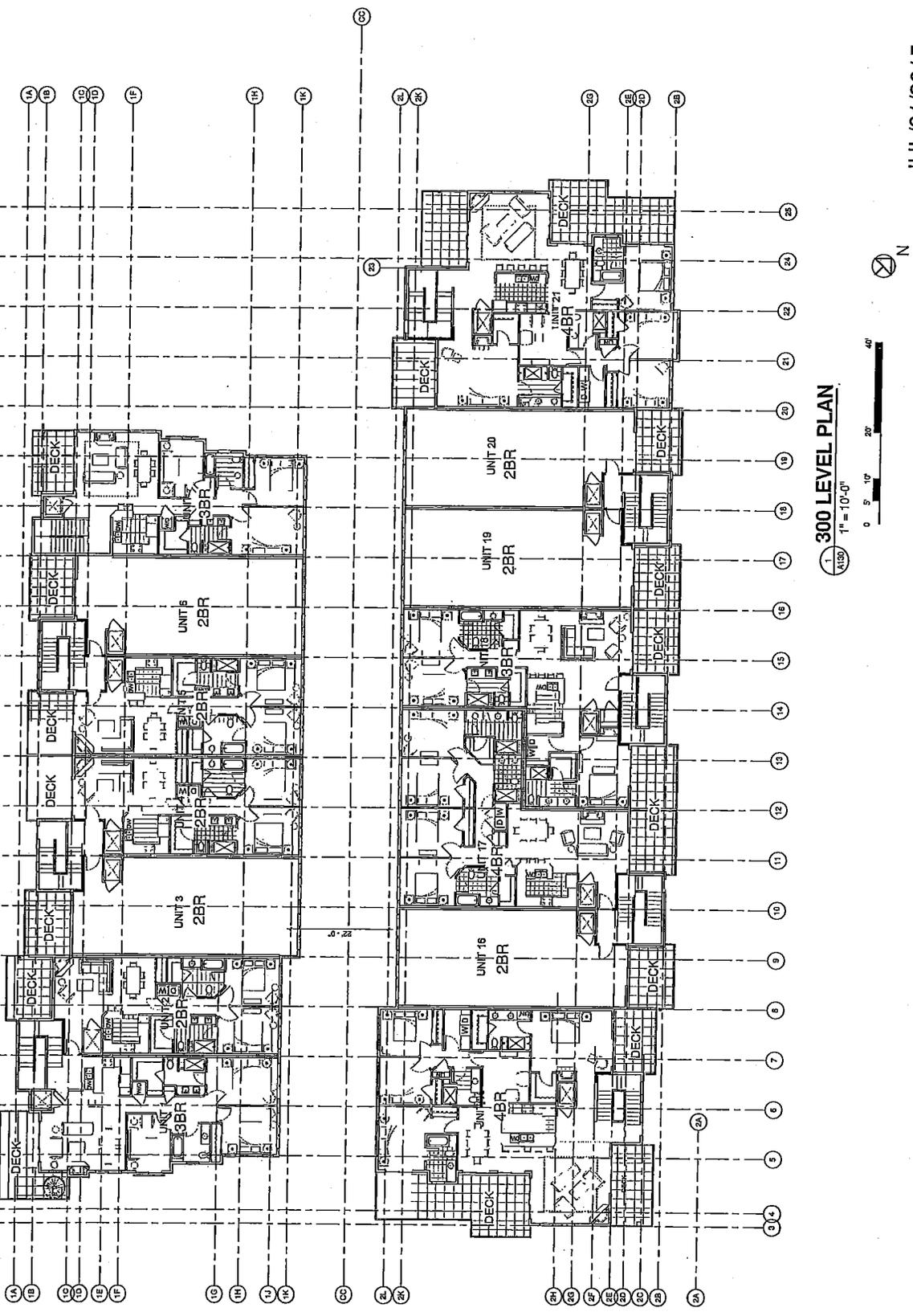


RIVERS EDGE at  
SILVERTHORNE  
421 RAINBOW DRIVE  
SILVERTHORNE COLORADO



ERIC SMITH ASSOCIATES, P.C.  
5918 BREWSTER STREET  
BOULDER, COLORADO, 80504  
(303) 442-8888, (303) 442-7878 FAX

Arch Number: 150713  
Date: JULY 2015  
Checked By: J.A.T.  
Project Name: 300 LEVEL FLOOR PLAN  
Sheet Number: A130



JULY 01/2015

1. 300 LEVEL PLAN  
A130 1" = 10'-0"





# TECHNICAL MEMO

RIVER'S EDGE CONDOMINIUMS  
421 Rainbow Drive  
Silverthorne, Colorado

DRAINAGE REPORT  
FIRE FLOW ANALYSIS

July 10, 2015



# MEMO

To: Dan Glezer, Silverthorne Town Engineer  
Cc: Larry Feldman, 3<sup>rd</sup> On 4<sup>th</sup> Ltd.  
From: Chris Dierdor  
Date: July 10, 2015  
Subject: River's Edge Condominiums Project - Drainage Report

This report presents the drainage plan and design for the development of the River's Edge Condominiums project and is being submitted for Final Site Plan approval from the Town of Silverthorne. This report and analysis have been prepared in conformance with the Town of Silverthorne's drainage criteria and includes the estimate of runoff rates for the drainage system for existing and developed conditions and requirements to maintain existing flow rates from the developed site.

### Project Location

The River's Edge Condominiums project is located northwest of the intersection of East 4<sup>th</sup> Street and Rainbow Drive. The project site is located on an undeveloped site between The Outlets at Silverthorne and The Riverside Lodge. The proposed project site is approximately 1.35 acres in size. Existing commercial development including parking lots and driveways are located to the north and south. The Blue River is directly to the west of the project site.

### Existing Conditions

The project site is located on a gently sloping area. The site drains to the northwest at approximately 2%. There are steeper slopes up to the adjacent parking lot and sidewalk. The average grade of the areas sloping up to the adjacent sidewalk and parking lot is 10% to 15%.

The Existing Drainage Basin Determination is shown on Exhibit A-1 attached to this memo, and includes one defined drainage basin.

- Basin A - Formerly undeveloped, project site area. This area discharges off the site onto the adjacent property to the northwest at Total of Analysis 2

Tetra Tech  
133 3rd Hill Road, Suite 100, PO Box 145, Breckenridge, CO 80424  
Tel: 970-453-4594 Fax: 970-453-4595 www.tetrattech.com

**Proposed Conditions**

The proposed project includes the development of a condominium complex, parking lots, sidewalks and landscaping. The proposed Drainage Detention Plan is provided as Exhibit A-2 attached to this memo. This plan shows the delineation of the proposed project site into two drainage basins.

- Basin A1 - This basin includes the proposed building, asphalt parking for sidewalks and landscape areas. The runoff from this basin is intercepted by the proposed storm sewer system. Runoff is treated by a water quality treatment vault before discharging at Point of Analysis 1. The treated runoff discharges into the Blue River.

- Basin A2 - This basin includes a small portion of asphalt pavement connecting the existing Riverside today parking lot to Rainbow Drive. The majority of this basin remains undisturbed except for some minor grading. This area discharges onto the adjacent property at Point of Analysis 2.

For information on the proposed drainage design, including surface conveyance, storm sewer and inlet, see Sheet C104, C107, C108 & C109.

**Runoff Calculations**

The Rational Method is used to estimate the peak flow rate and volume of runoff for the existing and developed drainage basins for the project site. The 5-year and 100-year storm events have been calculated, with detailed calculations shown in the Existing Conditions Drainage Calculations Summary and Developed Conditions Drainage Calculations Summary tables included at the end of this memo.

Based on the one existing drainage basin and two proposed drainage basins, we have compared the developed conditions peak discharges to the existing conditions at the 3 locations (Point of Analysis) where surface runoff discharges from the project site. A summary of this information is provided in the following table:

Point of Analysis	Drainage Basin	Q <sub>e</sub> Existing (CFS)	Q <sub>d</sub> Proposed (CFS)	Q <sub>e</sub> Existing + Q <sub>d</sub> Proposed (CFS)
1	A1	0.00	1.37	1.37
2	A, A2	0.22	0.02	0.24
Total		0.22	1.39	1.61

Existing Basin A is divided into two proposed basins A1 & A2. The majority of the post-development runoff generated in Basin A1 and intercepted by the proposed storm sewer system, treated for water quality and discharged at Point of Analysis 1. We have reduced the surface runoff onto the adjacent property at Point of Analysis 2 to be below existing conditions.

**Water Quality**

The runoff from Basin A1 is being treated for water quality. The runoff is captured in the storm sewer system through drainage inlets and routed through the Inline Stormceptor STC 450F water quality treatment vault. This vault is designed to provide 80% TSS removal of organics, silt and sand. After treatment, the runoff discharges into the Blue River via culvert. The 5-yr and 100-yr design peak flow rates for the vault are 1.37 CFS and 3.50 CFS, respectively.

**Regulatory Floodplains**

Based on the current effective Flood Insurance Rate Map information provided in the project base map from Range West, the project site is completely outside of the 100-yr floodplain for the Blue River.

**Summary**

The Final Drainage Plan provides analysis of the pre- and post-development hydrologic conditions. For both storms analyzed, the peak rate and volume of discharge onto the adjacent property have been reduced under the proposed development condition. The increase in total discharge from the site has been routed to be treated by a water quality treatment vault before discharging into the Blue River.

**Existing Conditions  
Drainage Calculation Summary**

Return Period	Drainage Basin	Area (AC)				TOTAL	% Impervious <sup>1</sup>		C <sup>2</sup>	Time of Concentration (min)	Average Intensity of Rainfall (in/hr)	Peak Discharge (cfs)	Volume (ft <sup>3</sup> )			
		Pavement	Building	Meadow/Grass	% Building		Meadow/Grass	IMPERVIOUS								
5-yr	A	0.03	0.10	0.01	1.21	1.35	40	100	90	5	13.4	0.16	27.64	1.01	0.22	360
100-yr	A	0.03	0.10	0.01	1.21	1.35	40	100	90	5	13.4	0.41	15.34	2.85	1.56	1,403

1. % Impervious values from Table RC-3 of IJC, June 2001.  
2. Use Table RC-5 (L4, June 2001), assume Type B NRCS Hydrologic Soil Group

**Developed Conditions  
Drainage Calculation Summary**

Return Period	Drainage Basin	Area (AC)				TOTAL	% Impervious <sup>1</sup>		C <sup>2</sup>	Time of Concentration (min)	Average Intensity of Rainfall (in/hr)	Peak Discharge (cfs)	Volume (ft <sup>3</sup> )	
		Pavement	Building	Meadow/Grass	% Building		Meadow/Grass	IMPERVIOUS						
5-yr	A1	0.40	0.65	0.23	1.28	100	90	5	77.9	0.57	1.87	1.37	578	
5-yr	A2	0.01	0.00	0.06	0.07	100	90	5	18.6	0.19	6.64	1.75	0.02	12
100-yr	A1	0.40	0.65	0.23	1.28	100	90	5	77.9	0.68	6.39	4.02	3.50	1,341
100-yr	A2	0.01	0.00	0.06	0.07	100	90	5	18.6	0.43	6.36	4.02	0.12	46

1. % Impervious values from Table RC-3 of IJC, June 2001.  
2. Use Table RC-5 (L4, June 2001), assume Type B NRCS Hydrologic Soil Group



TETRA TECH

# TECHNICAL MEMO

To: Zach Margolis, Utility Manager, Town of Silverthorne  
 Larry Feldman, 4<sup>th</sup> on 4<sup>th</sup> Ltd.  
 From: Nick Humphrey, Chris Durbin  
 Date: Wednesday, July 08, 2015  
 Project: River's Edge Condominiums Available Fire Flow Analysis  
 Title:

Tetra Tech, Inc. was hired to provide analysis of available fire flow at the location of the new River's Edge Condominium project in Silverthorne, Colorado. In order to perform the analysis, the Town of Silverthorne's hydraulic model was sent to Tetra Tech with the number of equivalent residences assigned to tributary model junctions. Tetra Tech then manipulated the EQR data to arrive at maximum day demand conditions using the following approach:

Assume Average Day Water Use = 350 gallons per day per EQR  
 Assume Maximum Day Use = 2.5 x Average Day Use  
 Maximum Day Demand = # of EQR x 350 gpd per EQR x 2.5 peaking factor = 1,440 minutes per day = 1,440 Gallons Per Minute  
 The model was recalculated with 3,422.61 EQR allocated to the model junctions. Aggregate maximum day demand was therefore calculated to be 3,422.61 x 350 x 2.5 = 1,440 = 2,080 gallons per minute

In addition to the existing demand on the system, the River's Edge Condos will contribute 22 EQRs to the system. Using the same calculation as above the development will add an additional 19.4 gallons per minute of maximum day water demand to the system.

A color review was performed by Tom Brumby, project architect, and the results are shown below:  
 Fire Sprinklers: Building is Fully Sprinkled (per section 503.3.1.2 of the 2012 International Fire Code)  
 Construction Type: Type IV or V/A  
 Building Floor Area: 69,897 square feet  
 Fire flow required: 1,500 GPM for a duration of 2-hours for a fully sprinkled building per Tables 105.1(2) and 105.2 of the 2012 International Fire Code.

Tetra Tech  
 13415 E. Harvard Ave., Suite 100, Denver, Colorado 80231  
 PH 303.453.8100 FAX 303.453.8101 [www.tetrattech.com](http://www.tetrattech.com)

River's Edge Condominiums - Silverthorne, CO

**Fire Flow Analysis**  
 Available fire flows were analyzed and found to be well above the target 1,500 gallons per minute at 20 psi residual pressure. The table below shows fire flow availability predicted at the three fire hydrant nodes in the vicinity of the condos. The last column on the right shows available flow anticipated when adjusting the pressure at the critical node to 20 psi minimum.

Table 13 River's Edge Condos Available Fire Flow

Junction ID	Total Demand (gpm)	Available Flow at Hydrant (gpm)	Critical Node # ID	Critical Node 2 Pressure (psi)	Critical Node 2 Head (ft)	Adjusted Available Flow (gpm)	Design Flow (gpm)
J16	1,500	4,445.00	J16	20.00	8,800.16	4,445.00	4,445.00
J20	1,500	5,208.32	J08	19.31	9,932.56	5,095.92	5,095.92
J24	1,500	5,324.04	J08	19.06	9,931.98	5,168.21	5,168.21

Figure 1 - Map of Model Junctions in the Vicinity of the River's Edge Condos

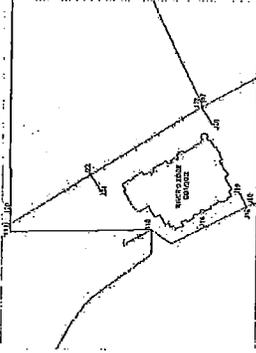
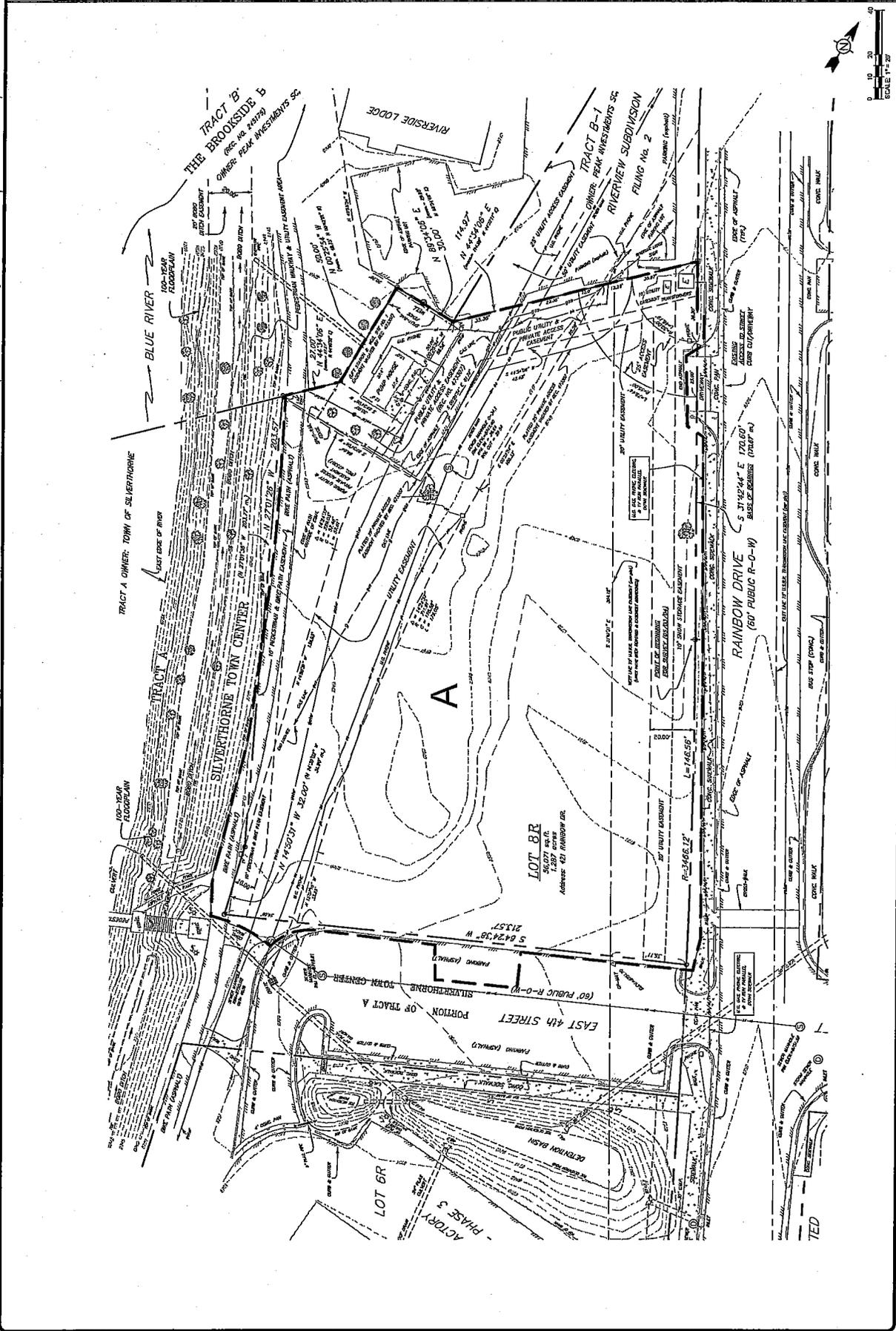


Table 1 shows theoretical flows available in the distribution system at the junctions indicated. These are not necessarily representative of flows anticipated to be available at the hydrant nozzle. Due to hydrant losses and constrictions of the nozzles flow actually observed in the field is expected to be less than the number indicated. However, the "Design Fire Flow" numbers do show that the distribution system has a substantial safety factor against damage if the code-required fire flow is extracted at the proposed River's Edge Condominium building.

END

Tetra Tech

2



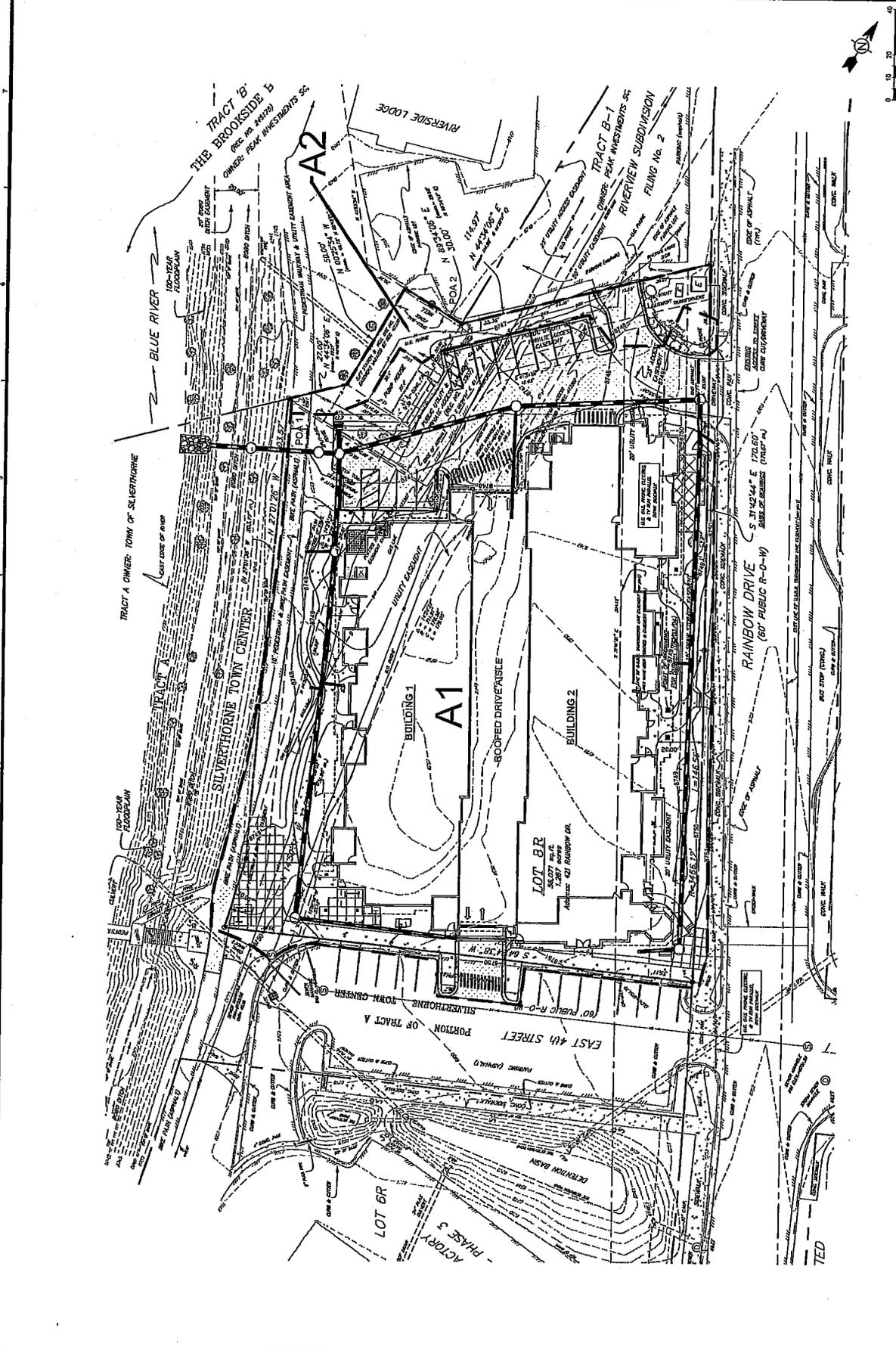


MARK	DATE	DESCRIPTION
ZH/MS		FINAL SITE PLAN REVIEW
BY		

PROPOSED DRAINAGE  
 BASIN DELINEATION  
 RIVERS EDGE CONDOMINIUMS  
 SILVERTHORNE, COLORADO

Project No.: 2013-00000000  
 Drawn By: A22  
 Checked By: CDD  
 Date: 02/01/13

**EXA-2**  
 See Reference 1:200





**TYPE BB**  
**Ecolume and Decolume**  
Arm Mount and Wall Mount

Model: 151000000115  
Page 2 of 3

**DESCRIPTION AND DIMENSIONS**

ITEM	DESCRIPTION	QTY	UNIT	PRICE
1	Ecolume and Decolume	1	EA	150.00
2	...	...	...	...

**REVISIONS**

NO.	DESCRIPTION	DATE
1	...	...

**TYPE BB**  
**Ecolume and Decolume**  
Arm Mount and Wall Mount

Model: 151000000115  
Page 3 of 3

**DESCRIPTION AND DIMENSIONS**

ITEM	DESCRIPTION	QTY	UNIT	PRICE
1	Ecolume and Decolume	1	EA	150.00
2	...	...	...	...

**REVISIONS**

NO.	DESCRIPTION	DATE
1	...	...

**TYPE BB**  
**Ecolume and Decolume**  
Arm Mount and Wall Mount

Model: 151000000115  
Page 1 of 1

**DESCRIPTION AND DIMENSIONS**

ITEM	DESCRIPTION	QTY	UNIT	PRICE
1	Ecolume and Decolume	1	EA	150.00
2	...	...	...	...

**REVISIONS**

NO.	DESCRIPTION	DATE
1	...	...

**TYPE AA**  
**LUMINAIRE SPECIFICATION**

Model: 151000000115  
Page 1 of 1

**DESCRIPTION AND DIMENSIONS**

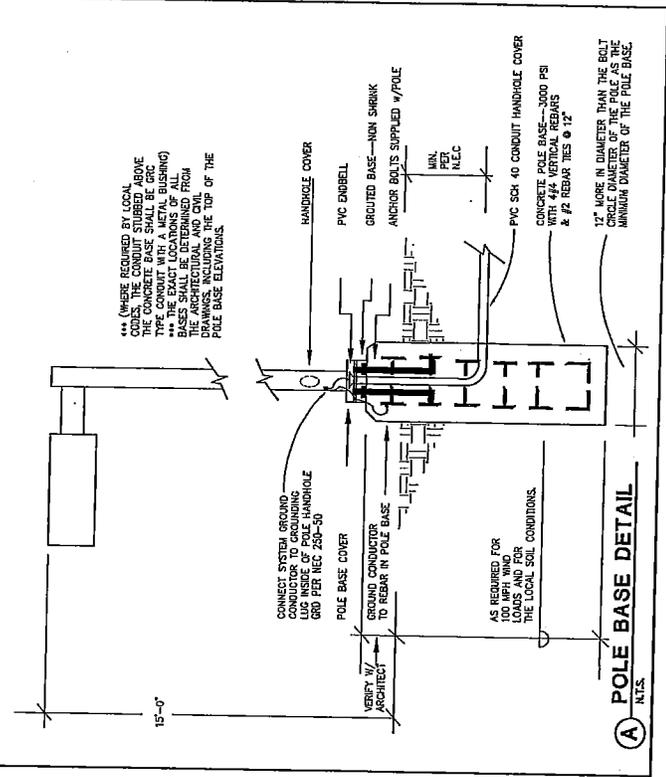
ITEM	DESCRIPTION	QTY	UNIT	PRICE
1	Luminaire	1	EA	150.00
2	...	...	...	...

**REVISIONS**

NO.	DESCRIPTION	DATE
1	...	...

**LUMINAIRE SITE SCHEDULE**

ELEVATION	DESCRIPTION	LUMPS		TOTAL		MANUFACTURER	REMARKS
		QTY	TYPE	VOLUME	VA		
A	MULLIGAN	2	DRY	10	10	PHILIPS	VERIFY ARCHITECT/PLUMBER
B	PERMANENT	1	DRY	10	10	PHILIPS	VERIFY ARCHITECT/PLUMBER



**TO:** Lina Lesmes – Senior Planner, Community Development Department  
**FROM:** Dan Gietzen - Town Engineer, Public Works Department  
**DATE:** August 12, 2015  
**RE:** Rivers Edge Condos Final plan comments – August 3, 2015 submittal

### **1) Fenced patio encroachment into the platted snow storage easement**

As a condition of approval of the Preliminary Site Plan, the applicant was required to revise the enclosed patio for Unit 31, such that it did not encroach onto the 10-foot snow storage easement on the east side of the property. Public Works Staff supports the patio configuration shown on the current architectural and civil plans, (approximately 13x5 or 65 square feet), which show no encroachment onto the snow storage easement. However, the Applicant, in his revised project submittal manual dated 8/3/15, is still requesting approval of a fenced patio which encroaches into the Town's 10-foot platted and utilized snow storage easement. Public Works has and continues to be against this. Please consider the following:

The submittal document suggests that the impacts on the Town use of this snow storage easement is minor, stating *"This is merely a quick flick of a plow blade if at all and will have almost zero impact on snow removal operations"*. This is simply not the case. Due to the intensive use of the Rainbow Drive ROW for the street, on-street parking that is planned for the future, and the existing sidewalk, this snow storage easement is crucial to plowing of this section of roadway, and plow blades are not easily or simply "flicked" when fences are encountered encroaching in the easement areas. The snow storage easements are there to create adequate and needed space for the storage of snow, and losing that area will increase the workload and cost for the Town in perpetuity. Staff does not support any above grade encroachments onto the snow storage easement, or any improvement that will impede the snow removal and storage process on the dedicated 10-foot snow storage easement.

Comparison photos of utility pedestals, shrubbery and fencing in other locations throughout town are shown in the Applicant's manual, however these items are very different from the proposal of locating a privately owned enclosed patio within a town used snow storage easement. The easement on the River's Edge property is defined via plat and is used for the purpose of plowing and storing snow. The pedestals, fences, and signs shown in the photos are not located within such an easement and also, they don't present any operational and/or maintenance problems for Public Works.

### **Staff recommendation regarding the proposed patio encroachment**

The Town has already compromised and agreed to allow "at or below grade" patio and/or plaza surfacing within the snow storage easement. The proposed above grade fenced patio enclosure however will 1) impede our ability and capacity for snow storage and 2) will be susceptible to damage as Town plows operate, push and store snow.

### **2) Grade separated sidewalk and curb and gutter versus proposed 'thickened edge'.**

Although the propose 'thickened edge' sidewalk provides vertical grade separation between the sidewalk and parking areas, the Public Works Department requests that mountable style curb and gutter be used instead, for the following reason:

- Separate curb and gutter is easier and less costly to replace than a single slab of sidewalk.
- Mountable curb will more easily allow front end loaders to ride up to and lift snow for removal.

- There are no seams in the flowline of curb and gutter for water to penetrate - thus increasing its longevity.

**3) "Non-issue" items that have been resolved/satisfied**

A) Soils / geotechnical report. The Applicant submitted a letter from Backcountry Structural Engineering dated 7/23/15, which acknowledges and concurs with a 2008 soils report for a previous proposal on this site. Staff accepts the letter and its recommendation that the prior report should be applicable to this project, as well as the comment about foundation installation.

B) Drainage report. The drainage report, which was deferred at Preliminary, has been reviewed by and is acceptable to Staff. The report adequately discusses the design of the drainage system - and the drainage system also includes a 'Stormceptor' vault, which will treat/filter of fine particulates prior to discharge into the Blue River.

C) Bobo ditch. Both the Applicant and the Town's Public Works Director have made contact with the owners of the Bobo ditch regarding timing and details of the crossing. While technically the ditch is located within an easement on Town property, this is a good faith effort to ensure that the Bobo ditch owners' needs and concerns, if they have any, are met.



TO: Lina Lesmes, Senior Planner  
FROM: Zach Margolis, Utility Manager  
DATE: August 12, 2015  
SUBJECT: Utility Department Comments on River's Edge Condominiums Replat and Final Site Plan

The applicant has already received approval to relocate water and sewer mains on their property to facilitate the River's Edge Condominiums construction project. We have worked closely with their design engineer and recommend approval of this replat and site plan with no recommended conditions of approval.

A new easement, "by separate document", has been provided for the relocated water and sewer lines with the understanding that when this final plat is approved, it will vacate the existing platted easements, and provide new easements for the water, sewer, well and pump station, along with access and utilities for these. We respectfully request that the 'Lift Station and Well Site No. 1 Easement' be relabeled 'Pump Station and Well Site Easement'.

We look forward to working with the applicant, their engineer, and their contractor on this project.



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

July 24, 2015

**Re: Rivers Edge Condominiums Site Plan Review II.**

Dear Ms. Lesmes,

Thank you the opportunity to review and comment on the proposed Rivers Edge Condominiums site plan again. At this time the fire department has the following comments and concerns regarding the proposed project plans:

1. Per the 2012 International Fire Code (IFC) as amended the proposed condo/garage building will require an approved fire sprinkler system. Please advise the owner/developer to size the waterline into the building to accommodate both sprinkler and domestic water use demand.
2. Per the 2012 International Fire Code (IFC) as amended the proposed condo/garage building will require an approved fire alarm system.
3. Per the 2012 International Fire Code (IFC) as amended an approved standpipe system is required throughout the buildings in this project.
4. Based on the accumulative square footage of Buildings 1 & 2, when connected by the garage roof, a Fire Command Center will be required. Suggest a meeting with the developer to discuss the details.
5. The parking configuration on the North side of the building has been lengthened and now exceeds 150 feet. This will require an approved turnaround for fire apparatus.
6. Two letters have recently been submitted from the developer and Tetra Tech. They are proposing a commercial fire sprinkler system (NFPA 13 design) for the building in lieu of providing the required turnaround. That is an acceptable alternative for the fire department.
7. The minimum number of fire hydrants (3) is shown on this latest submittal. Their proposed locations are acceptable to the fire department.

If you or the owner/developer have any questions or would like to meet, I would be happy to discuss any proposed changes. My office number is 970-262-5202. Thank you again.

Sincerely,

Steven Skulski  
 Assistant Chief/Fire Marshal  
 Lake Dillon Fire District



**Lake Dillon Fire  
 Protection  
 District**

401 Blue River  
 Parkway,  
 Silverthorne, CO  
 80498

P.O. Box 4428  
 Dillon, CO 80435

Telephone:  
 970.513.4100  
 Fax:970.513.4150

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

Inspection Line:  
 970.262.5215

Rivers Edge Condominiums

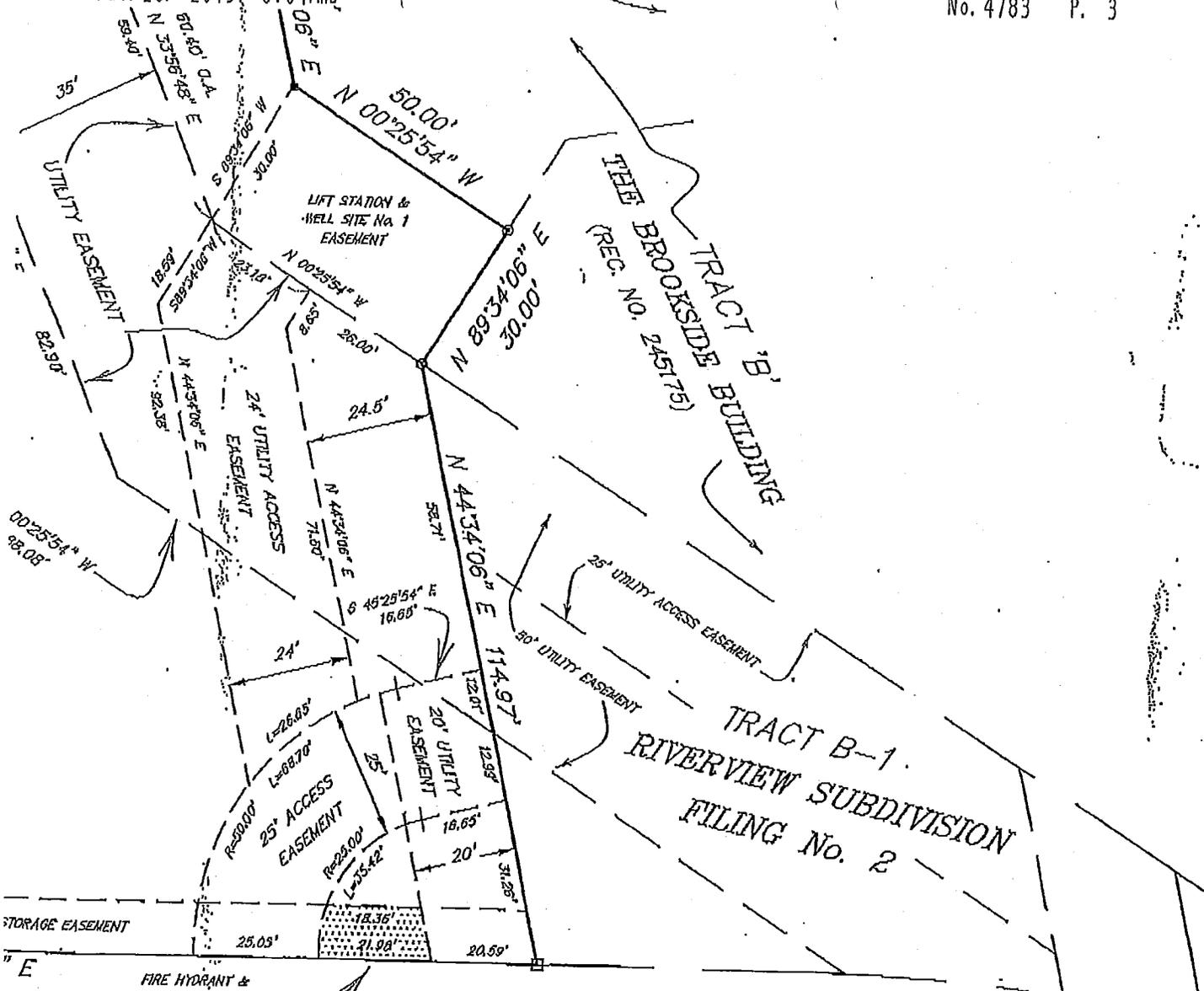
PT2015-12

The transformer that will serve the new building will be located next to the existing transformer that serves the Town of Silverthorne pump building. The transformer will extend into the highlighted pie shaped area on the attached print. The pie shaped area will need to be designated a utility easement.

Xcel Energy's transformers and switch cabinet need to maintain 20 ft. of clearance from the fire hydrant. The proposed hydrant is right at 20 ft. from the existing transformer and switch cabinet, but will be too close to the new transformer. The direction that the doors open limit the configuration of how the new transformer can be located. The hydrant will need to be located so that it is at least 20' from the transformer.

Loren Vawser

Designer/Mtn. Div.



**PLAT NOTES:**

1. THE 25' ACCESS EASEMENT SHOWN AT THE NORTHEAST CORNER OF LOT BR-1 IS FOR THE USE AND BENEFIT OF TRACT B-1, RIVERVIEW SUBDIVISION, FILING NO. 2, TRACT 'B', THE BROOKSIDE BUILDING, AND TOWN OF SILVERTHORNE (TRACT A, BLUE RIVER CROSSING). THIS EASEMENT SHALL BE FOR PURPOSES OF PEDESTRIAN AND VEHICULAR ACCESS, INCLUDING, WITHOUT LIMITATION, AUTOMOBILE, TRUCK AND BUS USE.
2. ALL EASEMENTS PREVIOUSLY PLATTED ON LOT BR ARE VACATED, BY THIS AND REPLACED BY THOSE SHOWN HEREDIN.

**SURVEYOR'S CERTIFICATE**

I DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR LICENSED UNDER THE LAWS OF THE STATE OF COLORADO, THAT THIS PLAT IS TRUE, CORRECT AND COMPLETE AS LAID OUT, PLATTED, DEDICATED AND SHOWN HEREON, THAT SUCH PLAT WAS MADE FROM AN ACCURATE SURVEY OF SAID PROPERTY BY ME AND UNDER MY SUPERVISION AND CORRECTLY SHOWS THE LOCATION AND DIMENSIONS OF THE LOTS, EASEMENTS AND STREETS OF SAID SUBDIVISION AS THE SAME ARE STAKED UPON THE GROUND IN COMPLIANCE WITH APPLICABLE REGULATIONS GOVERNING THE SUBDIVISION OF LAND.

IN WYNESS THEREOF I HAVE SET MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_.

TERRY C. BARNES, P.L.S.  
 COLORADO REGISTRATION # 15949

**CERTIFICATE OF TAXES PAID**

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE ENT. OF TAXES DUE AND PAYABLE AS OF \_\_\_\_\_ UPON OF REAL ESTATE DESCRIBED ON THIS PLAT ARE PAID IN THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_.

SUMMIT COUNTY TREASURER

RING	DELTA
0.3" E	02'25'22"

RIVER'S EDGE at  
SILVERTHORNE  
421 RAINBOW DRIVE  
SILVERTHORNE COLORADO

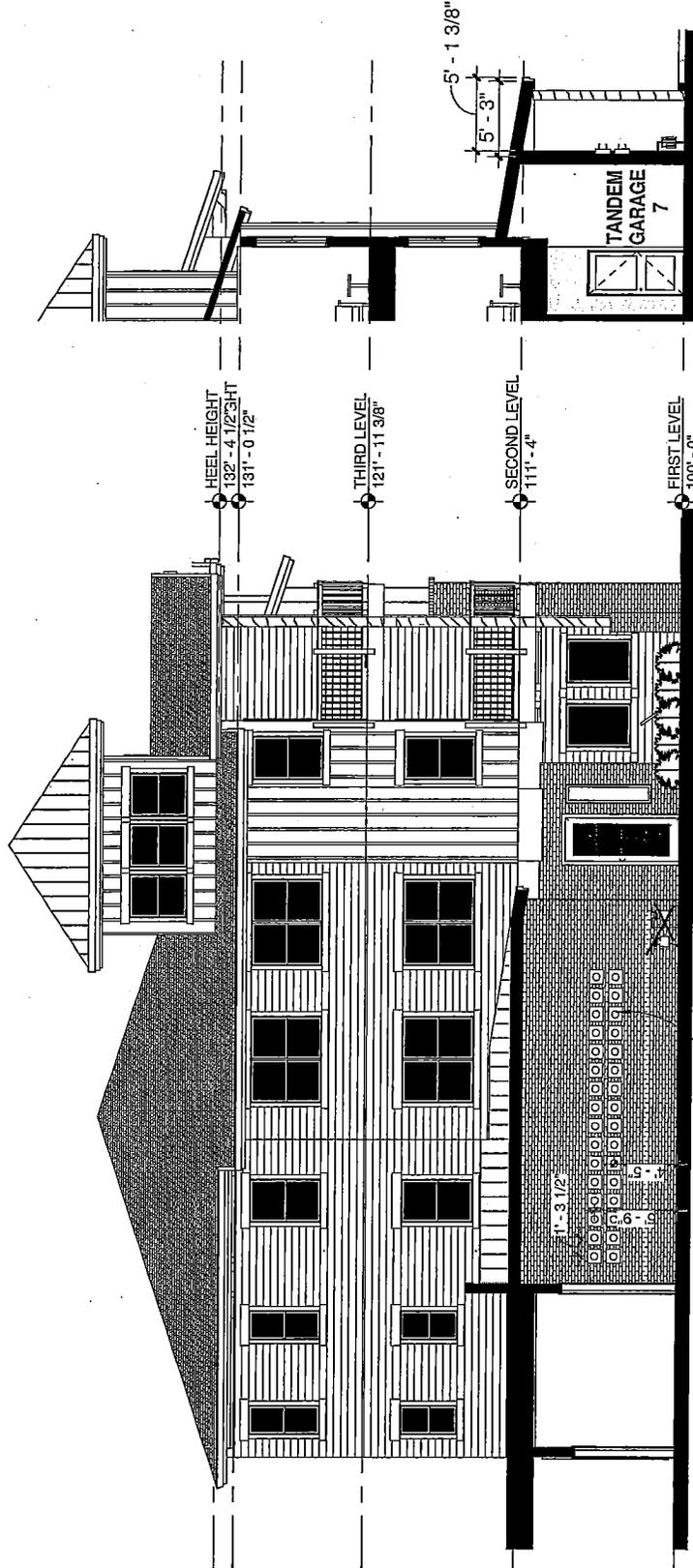
EXHIBIT F



ENGINEERS ARCHITECTS  
INC.  
1910 S. 10TH  
DENVER, CO 80202  
PHONE: 442-4444  
FAX: 442-4444  
JOB NUMBER: \_\_\_\_\_  
DATE: \_\_\_\_\_  
DRAWN BY: \_\_\_\_\_  
CHECKED BY: \_\_\_\_\_  
PROJECT: \_\_\_\_\_

DATE: \_\_\_\_\_  
ELECTRICIAN:  
METER

SCALE: \_\_\_\_\_  
E



2 Section -  
E-1 1/8" = 1'-0"

1 ELECTRIC METERS  
E-1 1/8" = 1'-0"

**Lina M. Lesmes**

---

**From:** Larry <larryf7@comcast.net>  
**Sent:** Wednesday, July 29, 2015 1:56 PM  
**To:** 'Vawser, Loren D'  
**Cc:** Lina M. Lesmes; 'Tom Jarmon'; 'Durloo, Christopher'  
**Subject:** Meeting  
**Attachments:** Elec Meters.pdf

Thanks for your time this AM. As agreed I think the following addresses Town concerns and others:

1. The new transformer will be on the north east corner entry berm. Fire hydrant will be moved if necessary and appropriate easement provided for transformer.
2. We will require only one gas meter in center of east side of Building 2 coming from Rainbow with appropriate roof overhangs for service and maintenance personnel safety.
3. Gas meter to west side of Building 1 will not be required.
4. Per the attached elevation the 33 electric meters will be on north side of Building 1 with appropriate roof overhangs for service and maintenance personnel safety.
5. Should PSCO decide to run a new gas line down 4th Street we will provide an easement on the south border of our property.

Larry Feldman  
P.O. Box 766  
Frisco, Colorado 80443

☎: 303-906-5353  
☎: 877-353-7652  
✉: [larryf7@comcast.net](mailto:larryf7@comcast.net)  
🌐: [www.skifrisco.com](http://www.skifrisco.com)



DRAFT

**TOWN OF SILVERTHORNE  
PLANNING COMMISSION MEETING MINUTES  
AUGUST 18, 2015 – 6:00 P.M.**

---

**1. CALL TO ORDER** – The meeting was called to order at 6:00 p.m., on August 18, 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: Jenny Gloudemans, Stan Katz, Robert Kieber, and Tanya Shattuck. Susan Byers, Donna Pacetti and Brian Wray were absent. Staff attending tonight's meeting included: Matt Gennett, Planning Manager, Lina Lesmes, Senior Planner, Greg Roy, Planner I, Dan Gietzen, Town Engineer and Melody Hillis, Administrative Assistant.

**3. ELECTION OF PLANNING COMMISSION CHAIRMAN AND VICE-CHAIRMAN.**  
Stan Katz nominated Robert Kieber for Planning Commission Chairman and Tanya Shattuck as Vice-Chairman. Nominations were closed. By a vote of 3-0, Robert Kieber was appointed as Planning Commission Chairman. By a vote of 3-0, Tanya Shattuck was appointed as Planning Commission Vice Chairman. Susan Byers, Donna Pacetti and Brian Wray were absent.

**4. CONSENT CALENDAR** – Stan Katz made a motion to approve the August 4, 2015, Planning Commission minutes. Tanya Shattuck seconded. The motion was approved by a vote of four to zero (4-0). Susan Byers, Donna Pacetti and Brian Wray were absent.

**5. CITIZEN'S COMMENTS:**  
None.

Susan Byers arrives and is seated at 6:07 p.m.

**6. ACTION ITEMS:**  
**A. Replat and Final Site Plan Approval – Riverview Subdivision, Filing No. 2, Lot 8R, 421 Rainbow Dr.**

Lina Lesmes, Senior Planner, presented the project. Larry Feldman, 4<sup>th</sup> on 4<sup>th</sup>, Ltd., is requesting approval of a Replat and Final Site Plan for a mixed use development consisting of 31 residential condominiums and one commercial condominium.

**COMMISSIONER QUESTIONS:**

- Stan Katz - On page 22. regarding the patios, looks as though the Staff supports the revision to the patio, but Public Works doesn't.
- Lina Lesmes - Neither Staff nor Public Works supports an enclosed patio. Staff does not support the patio encroachment onto the Town's snow storage easement. There are two sets of plans, the plans that Planning Commission is approving tonight are the first set of plans, which do not show encroachment of the patio onto the Town's snow storage easement.
- Stan Katz - Why is this written as it is?

- Lina Lesmes - The Applicant is going to present his case in argument for an enclosed patio which is included the information booklet. Wanted Planning Commission to know Staff's position, Community Development Dept. and Public Works Dept. do not support enclosed patios that encroach onto the snow stacking easement.
- Stan Katz - Planning Commission is not making a fifth condition that something be resolved?
- Lina Lesmes - The plans that are before the Planning Commission tonight do not show a patio enclosure or encroachment onto the Town's snow storage easement. Don't feel there is a need for a fifth condition, because what is being approved doesn't show an enclosure.
- Stan Katz - Approving this as a Final Site Plan?
- Lina Lesmes - Correct, the plans that are being approved tonight do not show an enclosure around that patio.
- Stan Katz - On page 36, the report from the structural engineer says that the old soils report for this property was inadequate to design the foundation, and states: "If the geotech engineer determines that such design criteria are inappropriate for the building, revisions may be required to the foundation design". If that happens, what would happen to this as a Final Site Plan?
- Lina Lesmes - Staff typically requires that a soils report be submitted with a Final Site Plan. Because previous applications had been submitted on this property that were very similar in design to this building, and a soils report had been submitted, Staff accepted a letter from the structural engineer that stated that the previous recommendations are adequate.
- Stan Katz - This letter is dated July 23, 2015.
- Dan Gietzen - What the letter is stating is that the previous geotechnical report can be accepted because, although different projects, the ground hasn't changed. They didn't dig new pits with this engineer to do a new report, he accepted the previous report and Staff accepted this letter to tie the proposed project to the report. Since this engineer hasn't done the pits, he is relying on the geology, that hasn't changed in the last 10 years. If the engineer feels that there is a situation where the foundation design needs to be changed, then they will do a soils test at that time.
- Stan Katz - What happens when they start digging on the site, and a change has to be made, does it come back before the Town, or does Staff accept the changes, what is the process?
- Dan Gietzen - It would be changed in the field because it is not going to have any impact on the building height or the foot print of the building.
- Lina Lesmes - Planning Commission doesn't review structural information, etc. If the building were to change in design then it would be reviewed again. Don't anticipate the design of the building to change.
- Stan Katz - As long as it doesn't affect the design of the building it isn't relevant to Planning Commission's review?
- Lina Lesmes - Correct.
- Jenny Gloudemans - Staff is in discussion with Craig Realty Group, will there another set of 90 degree parking be on both sides of the 4<sup>th</sup> St. parking?
- Lina Lesmes - That is correct, the idea would be to remove the nine foot sidewalk, receive an easement from the Outlets, put one set of the 90 degree parking in that easement, have a 24 foot wide aisle, have another set of 90 degree parking and then have a ten foot wide sidewalk that goes along a section of 4<sup>th</sup> Street. That is the ideal configuration. If that doesn't work out, the two foot encroachment on the south side can be removed and still locate two rows of 90 degree parking.
- Jenny Gloudemans - Definitely will be two rows of parking, will be a matter of how it will be configured.

Tanya Shattuck - The Town is approving so many projects, concerned about CDOT. Concerned about the traffic on Rainbow Drive, can the intersection at Rainbow and Highway 9 handle that sort of traffic volume? Knows that the intersection was just redone, but is that the best or adequate.

Lina Lesmes - CDOT isn't a referral agency for this project. CDOT only comments on project that directly takes access off of Highway 9. A project like this in terms of traffic volumes wouldn't be considered a high traffic volume generator. Staff wasn't concerned with the amount of traffic that will be generated with this project. Parking is a totally different issue, CDOT wouldn't comment on parking unless it was on Highway 9.

Tanya Shattuck - Concerned with the amount of growth and how the traffic will be handled, nervous about the amount of parking also. There are a lot of projects that are changing things, want it to be kept in mind.

Lina Lesmes - Concerned about traffic or about parking?

Tanya Shattuck - Traffic. Can also talk about parking, especially at the Pavilion, especially with the proposed theater. Just need to keep traffic in the forefront of our minds.

Lina Lesmes - As Mark Leidal says "we don't have a parking problem in Silverthorne today, but we could hope to have one, in the Tow Core especially".

Tanya Shattuck - Completely agree with that.

Lina Lesmes - Looking at striping some parking on Rainbow Drive, putting some on street parking on Adams and other sections of the Town Core to address the parking issue. Again, a project of this type is not a huge traffic generator.

Dan Gietzen - This is a lot that has been platted with density associated with it, a traffic study isn't required unless there is going to be an immediate adjacent improvement to the road that may be needed, which Staff doesn't see in this application. Bigger projects require a traffic study, but smaller, mostly residential projects with minimal offsite improvements a traffic study is not necessary.

Lina Lesmes - With the Hampton Inn, there was very little in terms of road improvements that they could attribute to that project.

Robert Kieber - Believe what Tanya Shattuck is asking is there a point within our Town Code where if a high density project came in, is there a size of a development that the Town would say that traffic study is needed?

Dan Gietzen - No, Staff could require a study if we thought it needed it. Waste of the applicant's money with no positive impact, why put an applicant through that.

Lina Lesmes - Tanya's comment is duly noted.

Susan Byers - Where is the color board for the type of brick or roof material?

Lina Lesmes - Yes, it is here.

Susan Byers - Are the colors recorded by Staff and so forth?

Lina Lesmes - Yes, our Design District Standards has restrictions for brightness of color, etc. Any color Staff receives is checked to make sure that it is meeting the criteria. If the Applicant wants to change the color, it would be checked at the Staff level to make sure that it meets the criteria, only a major color change would be brought back before the Planning Commission and Town Council.

Susan Byers - The Town Council requires a full color board, would love to see the brick, is it a standing seam metal roof, and is the roof material reflective?

Lina Lesmes - No.

Larry Feldman - There is a picture in the packet, but would like the color board to be presented.

Lina Lesmes - The color board is being brought down and will be passed around.

Susan Byers - Better that Planning Commission sees it, sometimes the Applicant changes things. Saw the cut sheet for the lighting, which color will be used on the lights, assumes that it's not white?

- Lina Lesmes - Don't regulate the color of the fixtures.  
Susan Byers - Have to be downcast?  
Lina Lesmes - Yes, fully shielded, downcast fixtures.  
Robert Kieber - Regarding the landscaping will the trees on the driveway rooftop will be accepted by the Town to go towards the landscaping count?  
Lina Lesmes - Yes, he gets a credit for those.  
Robert Kieber - Regarding the lighting, on page 23 section 4.6.13(e)2 it addresses wall mounted fixtures and light emitting up and down, not being acceptable. Then you go to 3.6.1 on page 26, it says the lighting fixtures are acceptable.  
Lina Lesmes - That standard addresses street lights.  
Robert Kieber - Pole mounted vs. building lights.  
Lina Lesmes - Yes, the vision for the Town Core, especially on the other side of Highway 9 is to have coordinated street lights. This project doesn't have street lights to conflict with the existing street lights.  
Robert Kieber - Then on page 22, it talks about the parking and sharing of potential costs, how will that be handled?  
Lina Lesmes - Would address prior to the with the Certificate of Occupancy, depending on when the CO is being issued. The Town could take cash in lieu of. The cost sharing is very similar to what we required of Angry James, based on cost estimates and bids.  
Robert Kieber - Regarding the fourth floor with the end cap units, the way I read the this, it talks about height limitations in this chapter shall not apply to church spires, belfries, cupolas, penthouses or domes not used for human occupancy. Those are the end caps that are 48 feet. Isn't there going to be human occupancy up there?  
Lina Lesmes - Yes, that's correct about the height, and that is what Staff thought the at the Preliminary Site Plan. But Planning Commission and Town Council both agreed that those were architectural elements that could exceed the height limit.  
Stan Katz - At some point it was decided that 45 feet was an arbitrary number, even if we are going by the Code, the last three feet would not be occupied by a person. A person would probably be in the first six feet of the floor. So, we got around it by saying that it is not the room that matters on the occupancy, it is the last three feet, unless someone was very, very tall they wouldn't be occupying it.  
Robert Kieber - Question, does Planning Commission and Town Council have the authority to just brush the three feet aside?  
Lina Lesmes - Yes, that Code section basically gives Planning Commission and the Town Council the authority to allow certain architectural elements to exceed the height limit. When Planning Commission looked at this at Preliminary Site Plan, it was found to meet that definition and it's allowed to exceed that height limit.  
Matt Gennett - Is a matter of interpretation, penthouses are habitable units, but this language pertains to vaulted spaces in such units that are uninhabitable.  
Robert Kieber - Just want to make sure that the Planning Commission has the authority to make that determination.

**APPLICANT COMMENTS:**

- Larry Feldman - Presented 4<sup>th</sup> on 4<sup>th</sup>, Ltd., project, the Applicant for Rivers Edge Condominiums, presented his information. Addressed the concerns about the soils report, explained how the conditions can be met, and gave a very extensive amount of information regarding the revised plan. Highlighted the elements that were changed since the Preliminary Site Plan Approval. Talked about the patio and the snow storage issue. Would like some of the conditions eliminated. Doesn't understand why the added condition of

painting the electrical meters. Requested that the Town consider his request for the fenced patio area, which would encroach onto the Town of Silverthorne's snow storage easement adjacent to Rainbow Dr., feels it is a reasonable request and would like to get a feeling for it tonight. Have replaced the sheet noting the 5 foot sidewalk for a six foot sidewalk, would like that condition removed. Requested approval.

Robert Kieber - The fence is not part of the Final Site Plan tonight correct?

Larry Feldman - Correct.

Robert Kieber - What Planning Commission is voting on is what is before us tonight and in the plan set. Not here to redesign it and not to delete or add anything to the application. Talking to the wrong group about the fence.

Larry Feldman - Would like to respectfully say that it is a part of the Staff report, it has been on the table since the beginning, and would like to make my case to get a raw feeling. If you're saying I can't, then I won't.

Robert Kieber - Not saying that you can't, we can discuss it when you're done with the presentation.

Larry Feldman - Presentation is done, accept the Staff report as written. Has four conditions, feels condition requiring the electric meters be painted according to the Town Code is really not a condition. Every item in the Town Code is always a condition. Think it's interesting that it was never discussed until three days ago. The application booklet says that we're going to have six foot sidewalks, a revised plan that changed the number in the project packet from five feet to six feet was brought over today, the plan has always been for six feet, thinking that conditions one and four might be omitted. The one about the parking issue is way too complex to be solved tonight. Regarding the light fixtures, on the last page of the project brochure there is an engineered plan for photometric, they are down light diffused pole lights, apparently the Town doesn't use the national dark skies code, feels that condition can be let go. Would like to see condition one and four go, the six foot is here. Condition number four really isn't a condition; it says that we are going to obey the Town Code. Other than that, I accept the Staff report. Introduced project team.

**OPENED PUBLIC COMMENT:**

None.

**CLOSED PUBLIC COMMENT.**

**COMMISSIONER COMMENTS:**

Robert Kieber - Asked Lina Lesmes about the requirement for painting of the electrical meters? Haven't seen before is it part of the Town Council?

Lina Lesmes - There is a standard in the Town Core Design District Standards that address painting of any outdoor mechanical equipment, including electrical meters. When Staff received the submittal for the final, the Applicant stated that there wasn't going to be any kind of outdoor mechanical equipment. This issue arose within the last week or so, and we saw the electrical meters for the first time. We're asking that the Applicant work with us to see how the electric meters can be painted to be the most visually pleasing and screened as much as possible and painted to match the building. Regarding the first conditional of approval, the plans in the packet show five foot sidewalks, that is why that condition is in the Staff report, the Applicant did bring in a new set of plans today that shows six foot sidewalks but, that is not before the Planning Commission and it is not in the plan set. Staff received one revised site plan, don't have the entire plan set showing six foot sidewalks. The contribution and resolution to the 4<sup>th</sup> St. parking, believe

there is some cost sharing that should be the burden of the Applicant. Fourth Street is going to get reconfigured, in order to create two additional parking spaces, rather than to lose two parking spaces to approve this project. Talking about the creation of two additional parking spaces that this project is required to have, not the entire redesign or construction of the entire parking lot. At a minimum Staff needs two more parking spaces constructed. The light fixtures don't meet the Town Code, need to be revised.

Robert Kieber - Regarding the driveway that goes to the north, is that something that the Applicant is obligated to or agreed to?

Larry Feldman - Neither, it is an easement that has existed for quite some time. Approached the neighbor, they haven't been cooperative. Offered to close up the current easement and open another easement to the north, which they didn't do. In my application booklet, it states that all of my sidewalks will be six feet wide, it was a technical error on another map that showed the sidewalks at five feet. Brought in a corrected map this afternoon, the application calls for all six foot sidewalks, have done our job, and would like to argue that that condition should be removed, along with the painted meters.

Robert Kieber - Like the project, regarding the four conditions commends you, in my many years have seen way more conditions on projects. Disagree with the Applicant's statement that two of the conditions are not needed. We do need the two conditions because they are in writing as conditions and in the Town Code. Regarding condition number 2, typo. Nice project, Staff has done a lot of work. Regarding the fence going to stick with the Code because of the snow storage, and the snow storage is more important than the fence. People don't want to buy that unit because there is no fence, sell then one of the others.

Larry Feldman - At the appropriate time would like to discuss the fence again.

Robert Kieber - Asked Matt Gennett if that would be a Conditional Use Permit further down the road?

Matt Gennett - It would not be a Conditional Use Permit, but it would require approval from the easement holder who is the Town of Silverthorne in this case.

Tanya Shattuck Agrees with Robert Kieber, great looking project.

Susan Byers Conditions need to stay in as written. Why not paint the electrical meter, every house I've ever built, we've painted the electrical meters, you want them to go away.

Larry Feldman - The answer to that is that the Code says that we will also put bitumen on the roof, so why don't you include a condition that says you'd have to do that? Told Lina that if I didn't show up to the meeting tonight and could get approval with these four conditions, and save time, it wouldn't have mattered. Still disagree with condition number one.

Jenny Gludemans - Looks nice, regarding the rooftop terrace, is it accessible?

Larry Feldman - No, because I would have to allow equal access, and the trees are to block the view from window to window.

Jenny Gludemans - Envisioning an open terrace for people.

Stan Katz - Wonderful application, as is. Need to keep the conditions. If a revised copy can get to the Town Council, then maybe condition number one can be omitted. When I say as is, I will be very unhappy if an application for a fence comes before the Town. There is nothing in the packet that shows what the fence would look like and this is the Final Site Plan review. This is the Site Plan that Planning Commission is voting on. Agree with Staff that a fence would not be a good idea. Cautioning you, please don't come back with a fence.

**TANYA SHATTUCK MADE A MOTION TO RECOMMEND APPROVAL OF THE REPLAT AND FINAL SITE PLAN FOR RIVERS EDGE CONDOMINIUMS WITH THE FOLLOWING STAFF RECOMMENDED CONDITIONS:**

1. That all pedestrian walkways associated with the project be a minimum of 6 feet in width, as required by Section 4-4-13.5.h, and Standard 3.2.3 of the Town Core District Design Standards and Guidelines, with the submittal of a Building Permit.
2. That the applicant contribute the proportionate share of the cost of constructing the on-street parking required to serve the project, such that there is no net loss of parking on 4<sup>th</sup> Street, prior to the issuance of a Certificate of Occupancy.
3. That all exterior light fixtures meet the Town Code definition for fully shielded light fixtures with the submittal of a Building Permit.
4. That the applicant work with Staff to ensure Standard 3.7.3.c is addressed regarding the painting of electrical meters on the building, prior to the issuance of a Certificate of Occupancy.

**STAN KATZ SECONDED THE MOTION AS AMENDED.**

**MOTION PASSES BY A VOTE OF FIVE TO ZERO. (5-0). DONNA PACETTI AND BRIAN WRAY WERE ABSENT.**

**6. OTHER ITEMS:**

Matt Gennett informed the Planning Commission that the last two Design District Standards, will be on the agenda on September 1, 2015. It will be the Destination Design District Standards and the Business Park Design. Lina Lesmes stated that they will be a package deal. Matt Gennett: So they will both be done at the same time. Then Staff will begin zoning amendments.

Robert Kieber there has been discussion about signage for a long time. Lina Lesmes stated that it will be a top priority for 2016. Matt Gennett stated that we want to get that done in the next year or so. Stan Katz asked if that would be done jointly with the Planning Commission and the Town Council. Right now the authority lies with the Town Council, but the Town Council looks to the Planning Commission to write code. Will we be getting together on that? Matt Gennett stated that there could be a joint worksession on that, and then bring it through the process. Planning Commission and Town Council seem to both have the same opinions regarding the sign code. Lina Lesmes stated that it has been a long time since the sign code has been revised. Would bring to the Planning Commission for comments and suggestions, it is going to be a huge amount of work and there will be a series of meeting on the subject. Robert Kieber: I think our business owners need to be involved. Matt Gennett stated that there will be a lot of public outreach.

Matt Gennett – Silvertrout will be resubmitting.

Robert Kieber thanked public works for the Cutler repaving project. Dan Gietzen reported that the on street parking will be striped on Rainbow, will create close to 50 more parking spaces on Rainbow. Jenny Gloudemans asked for the area perimeters for the striping. Dan Gietzen stated it would begin at Rainbow Park parking lot, and will go all the way to the north side of the bus stop, and the other side will be from River's Edge almost to the Starbucks.

Robert Kieber asked about Angry James Brewery? Matt Gennett stated that they are possibly reassessing things after they received the building permit quote, just moving slow, have limited resources, expect to see them keep moving forward. Especially after the article in the Summit Daily.

**7. ADJOURNMENT:**

**TANYA SHATTUCK MADE A MOTION TO ADJOURN AT 7:24 P.M.**

**STAN KATZ SECONDED.**

**MOTION PASSES BY A VOTE FIVE TO ZERO (5-0). DONNA PACETTI AND BRIAN WRAY WERE ABSENT.**

Submitted for approval by:

Approved this of 1<sup>st</sup> day of September, 2015.

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Melody Hillis,  
Planning Commission Secretary

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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.

MINUTES OF SPORT COMMITTEE  
July 16, 2015

**I. PROCEDURES**

1. Attendance: Tom Dopplick, Frank Gutmann, Don Hansen, Don Langmuir, Bob Mayerle, Kathy Swanson, John Taylor, Pat Taylor.
2. Staff: Russ Camp, Joanne Cook, Liz Hodson, Susan Lee, JoAnne Nadalin  
Absent: Mary Kay Rachwalski, Marilyn Raymond, Marty Richardson  
Guests: Mindy Nicholds, Recreation Coordinator, Mark Wilcox and Michaela Kaiser, DHM Design; Bill Linfield, Public Works Director
3. Don Hansen opened the meeting at 6:03 p.m.
4. Previous minutes: Motion to approve, with corrections, by Pat Taylor, second by Don Langmuir.

**II: PRESENTATIONS**

1. DHM Update for Master Plans – Mark Wilcox  
-Mark gave an update from all of the June outreach events.  
-Next steps:
  - July 21<sup>st</sup> - General open house showing all 3 park plans, at the Recreation Center.
  - August 5<sup>th</sup> - Display at the community picnic at the Silverthorne Pavilion.
  - August 20<sup>th</sup> - Presentation to SPORT Committee at monthly meeting.
  - September 9<sup>th</sup> – Final plans presentation before Town Council.
2. Blue River Trail underpass at Bald Eagle Road – Bill Linfield, Public Works Director  
-Bill talked about potential ways to solve the flooding situation under Bald Eagle Road. Ideas included increasing wall height, more pumps, detour through The Ponds, however all come at a cost and The Ponds is private property.

**III: PLANNING DEVELOPMENT PROJECTS**

1. South Maryland Creek Ranch Preliminary Subdivision  
-Preliminary sub division application has been submitted. There are 2 trails in the plan, 1 soft surface, 1 paved. Referral letter due in August, so Joanne will draft letter with the following concerns; 1) public parking areas (3); 2) Public easements for trails; 3) USFS connection, and 4) social trail alignment issues, and John Taylor will provide additional review comments.

**IV: OLD BUSINESS**

1. Updates from 2015 Goals Action list
  - a. Osprey Walk  
-Bob and Don showed the Passport that will be given to the kids during the event, and are now organizing volunteer stations.
  - b. Bicycle Friendly Community  
-No update
  - c. Trent, Angler & Arctic Placer Master Plans  
-Complete, final plans to Council September 9th.
  - d. Rainbow Park Tennis, Basketball, and Pickleball court  
-Courts are open and playable; Pickleball nets are in storage unit on the courts. Grand Opening scheduled for August 12<sup>th</sup> at 11:30pm. Light food

and drink will be provided. Mindy and Tom, who are planning the event, asked the Committee if they were willing help pay event costs of @\$200. Pat Taylor made a motion to provide \$200 of SPORT monies for the purchase of food and supplies for the grand opening. Don Langmuir second, all in favor. ~~Date has been moved to August 19<sup>th</sup> due to staff conflict.~~

- e. Rainbow Drive parking  
-In progress. Striping of 46 parking spots will be done following completion of repaving.
- f. Raven Golf Course  
-No update
- g. Open Space inventory  
-No update
- h. Willow Grove  
-No update
- i. Ptarmigan Trail  
-Susan and Don hiked the area. No re-alignment changes will be made this year due to private land issues.
- j. Salt Lick Trails  
-The Committee is making plans to GPS these trails in the near future.
- ~~k. Website information - **Tabled until completion of Town website upgrade**~~
- ~~l. Bird Watching - **Complete**~~
- m. Sidewalk Network  
-No update
- n. Open Space Land Acquisitions  
-No update
- ~~o. Blue River Trail Public Access - **Tabled**~~
- p. Blue River Trail Segment 6  
-Preliminary design by DHM is complete, majority of trail will be boardwalk, 2 items still pending are easement acquisition and word from the Army Corp. that no permits are needed for alignment.
- q. Events  
-No update

**V: NEW BUSINESS:**

1. Make a Difference Day location update  
-Project site is 6<sup>th</sup> Street south to Town Center, requesting 20 volunteers. Liz will submit application when available.

OTHER:

Motion to adjourn 8:15 pm by Bob Mayerle, second by Kathy Swanson  
Next Meeting: August 20, 2015 - 6:00 p.m.

