SILVERTHORNE TOWN COUNCIL MEETING
AGENDA FOR FEBRUARY 24, 2016- 6:00 PM

SILVERTHORNE COLORADO

I. CALL TO ORDER/ROLL CALL/APPROVAL OF AGENDA

II. PLEDGE OF ALLEGIANCE

III. STAFF COMMENTS 1

IV. COUNCIL COMMENTS

V. CITIZENS' COMMENTS*

VI. CONSENT CALENDAR
A. Town Council Meeting Minutes, February 10, 2016 9

VII. PUBLIC PRESENTATIONS*

VIII. BOARD OF ADJUSTMENT

IX. LIQUOR BOARD

X. PUBLIC HEARINGS

XI. ACTION ITEMS
A. Ordinance No. 2016-02 – An Ordinance Rezoning Certain Real Property from C-1, Light Commercial Zone District, and C-2, Heavy Commercial Zone District, to TC, Town Core District., 1st Reading 15
B. Ordinance 2016-03; An Ordinance Approving a Major Amendment to the Silverthorne Town Center Planned Unit Development, Located on Tracts A and B, Silverthorne Town Center Subdivision, 1st Reading 25

XII. DISCUSSION ITEMS

XIII. EXECUTIVE SESSION
For a conference with the Town Attorney and Town Manager under Charter section 4.13 (c) and CRS 24-6-402(f) for the purpose of conducting the annual review of the Town Manager.

XIV. INFORMATIONAL
A. December 2015 Sales Tax Review 39
B. Planning Commission Meeting Minutes, February 16, 2016 45

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: FEBRUARY 23, 2016 – 6:00 P.M.
TOPIC: Lake Dillon Theatre Company Partnership Update

SILVERTHORNE TOWN COUNCIL WORK SESSION
PUBLIC ISSUES SCHEDULE
2016

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.

MARCH 8	Joint meeting with Planning Commission
MARCH 22	OPEN
APRIL 12	OPEN
APRIL 26	OPEN

FUTURE WORK SESSION DISCUSSION ITEMS:
HISTORIC SOCIETY

February 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2 Planning Commission	3	4	5 Payroll	6
7	8	9 Work Session	10 Council Meeting	11	12 Father Daughter Date Night, 7:00PM @ Pavilion	13
14	15	16 Planning Commission	17 Court	18 SPORT Meeting	19 Country Western Dance, 7:00 PM @ Pavilion Payroll	20
21	22 No School - Winter Break	23 Work Session	24 Council Meeting	25	26	27
28	29					

March 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 EDAC Meeting Planning Commission	2	3	4 Payroll	5
6	7	8 Work Session	9 Council Meeting	10	11	12
13	14	15 Planning Commission	16 Court	17 SPORT Meeting	18 Country Western Dance, 7:00 PM @ Pavilion Payroll	19 Stargazing Snow-shoe, 6:00 PM @ Angler Mountain
20	21	22 Work Session	23 Council Meeting	24	25 NO SCHOOL	26
27	28	29	30	31		

April 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 Payroll	2 Girl Scout Water Fun Day, 9:00 AM @ Rec Center
3	4 Registration for Summer ProgrammingBegins	5 Planning Commission	6	7	8	9
10	11 No School—Spring Break	12 Work Session	13 Council Meeting	14	15 Country Western Dance, 7:00 PM @ Pavilion Payroll	16
17	18	19 Planning Commission	20 Court	21 SPORT Meeting	22	23
24	25	26 Work Session	27 Council Meeting	28	29 Payroll	30

May 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3 EDAC Planning Commission	4	5	6	7
8	9	10 Work Session	11 Council Meeting	12	13 Payroll	14
15 Dance Recital, 6:00 PM @ Pavilion	16	17 Planning Commission	18 Court	19 SPORT Meeting	20	21 Silverthorne Town Clean Up Day
22	23	24 Work Session	25 Council Meeting	26	27 Payroll	28 Pirate "Water Safety" Day at the Pool!
29	30 TOS Holiday	31 Planning Commission				

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: **February 19, 2016 for Meeting of February 24, 2016**
SUBJECT: **Staff Comments**

Attached please find the Staff Comments and Updates for the February 24, 2016 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 – February 19, 2016

Fiscal Year 2015– In with the new and out with the old! In most people's minds it easy to just say 2015 is gone and 2016 is here but in our department we'll deal with both years for the next four to five months!

The last of 2015 invoices have been paid. The last of the December related revenues will be received next week once we receive the December 5A sales tax reports. Preliminary results for 2015 will be reported to upper management. At this point 2015 reconciliations will continue in preparation of the 2015 audit which will take place the week of May 2nd.

April 5th Municipal Election – Our Town Council municipal election is scheduled for April 5th. The election will be for four Council seats. The final ballot has been set. There will be five candidates on the official ballot. The ballots have been sent to the printer. This is a mail ballot election. Ballots will be mail to voters no sooner than March 14th and as late as March 21st. On Wednesday February 24th at 4:30PM we'll have a candidate orientation and on Monday February 29th at 6:30PM, the Town will host a Candidate Forum which will be taped and replayed on the SCTV station on Comcast.

Plow Truck Lease/Purchase – The closing on the financing package will occur today February 19th. Financing completed!

Financial Advisor – In anticipation of financing a portion of the Performing Arts Center, the Town will conduct a Request for Professional Services for Financial Advisor Services. The Government Finance Officers Association recommends that debt issuers use an Advisor when undertaking issuing major debt and /or capital planning. The Advisor brings experience and expertise in the selection of other required professionals and municipal financial markets. The RFP is being released this coming Monday February 22nd. The RFP responses are due on Wednesday March 23rd.

Budget 2016 – It's almost time for us to bring back the first 2016 appropriation ordinance. Now that we have final numbers for 2015 projects/programs, we can look and see what funds from 2015 need to be brought forward to 2016 to complete 2015 projects/programs. Additionally, there are always a few items that were not included in the original 2016 budget that need to added or reduced. The 1st reading of the ordinance will be brought to Council at the April 13th Council meeting.

Public Safety – February 19, 2016

Incidents – On 02-08-16 Officers Tarnoff and Baldwin responded to a condominium complex for the report of a physical, domestic assault. It was reported the victim had been chased by the suspect down the street, but was currently hiding behind a snowbank waiting for police. Upon their arrival they found a male, matching the description of the suspect wandering through the parking lot. He had fresh blood on his face arousing the officer's interest. It was confirmed he was the correct suspect when he immediately apologized for "being involved in a little scuffle with my girlfriend." The girlfriend was found and denied medical assistance. The suspect was arrested for domestic violence.

On 02-09-16 Officer Steele responded to a motor vehicle accident of a car versus a pedestrian. Upon his arrival he found a female lying in the road who was conscious, but in a lot of pain. The driver of the vehicle was also on scene, quite distraught, trying to figure out how to use his phone. Officer Steele investigated the scene and found the impact had sent the female flying several feet through the air, and the impact was hard enough to knock her out of her boots. After checking the area, multiple items were found scattered about, which the victim had been carrying. The victim was transported to the hospital while the investigation on scene continued. By measuring the debris field, the scattered items, and location of the victim, it was determined the suspect was going the speed limit. When the suspect's vehicle was checked there was only one small circle cleared from the frost on the windshield, making viewing out the front impractical. The driver was charged with multiple traffic charges, including careless causing injury.

On 02-09-16 Officers Ponedel and Steele were dispatched to a male who had passed out in the Library. When they arrived they recognized the suspect as a homeless individual who likes to fight, based on all previous contacts with him. As expected the male immediately took an aggressive tone with the officers, refused to obey commands, and his body language indicated he was ready to fight. He was put into handcuffs for everybody's safety and escorted from the building. Once outside the library staff said they wanted him trespassed from their business, but there were no criminal charges. The suspect was released from his handcuffs, escorted from the property, and told not to return. After one more attempt at intimidating the officers the suspect left.

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

Feedback from the community – Officer Watson received an e-mail from a

happy customer. This person was stopped and warned about the large amount of elk in the area. They wanted to say thank you to Officer Watson because on their travels they saw a large amount of elk and avoided any collisions thanks to the warning.

Department Training – The whole department participated in a building search training. As times change, we need to keep abreast of the best practices in all aspects of our profession. Officers Tarnoff and Ponedel attended a class to recertify in PPCT, which is our arrest control tactics class. This way they can continue to recertify our officers and we don't need to bring in an outside instructor.

Staffing – The department is currently down one chief, one sergeant, and one officer. Sergeant Higby has been filling in as Interim Chief. Officer Cox has been doing well in the academy and has reportedly been keeping an A average. Skylar Steele has started his Field Training Program and still seems to be ahead of the program.

Public Works Department – February 19, 2016

Streets – Plenty of snow the past few weeks, and when we aren't plowing we are busy dealing with drainage issues and repairing signs and delineators. We continue to have lots of ice buildup on the pedestrian tunnel north approach and on the elevated walk sections under I 70. We have had to thaw several culverts and expect to do a lot more in the coming weeks.

Parks – Parks staff is busy with sidewalk and path plowing. We are also planning this summer's busy season including lots of flowers to plant (over 20,000)

Utilities – Utility staff is busy with various maintenance work to all of our systems. Last week we assisted Sears with a frozen water service line.

Recreation Center Air systems: The new sound attenuator for the PDU will be installed this coming week with a large crane set up behind the Rec Ctr.

Facility Manager – Our two new Building Techs have started work and we will slowly catch up on lots of maintenance activities. Rob Coker, our new Facility Manager, is doing a great job for since starting in early January.

Parks Manager – Interviews for the new Parks Manager are scheduled for the first week of March.

Engineering – Dan is busy with reviews of Summit Sky Ranch, Blue River 50, and other smaller projects. He is also gearing up for this summer's streets and drainage work.

North Pond Ice – The ice rink is closed for the season. Warmer temperatures combined with heavy use during the Pond Hockey tournament have created unsafe conditions. The pond has been posted CLOSED.

Community Development Department – February 18, 2016

Blue River Trail – 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. Summit County Open Space Advisory Committee (OSAC) has been participating in acquiring an easement from Blue River Valley Ranch Lake Estates.

Town Core Rezoning – Since the District Design Standards have been adopted, the focus shifts to the rezoning of the Town Core. This will help to implement the Comprehensive Plan vision to create a pedestrian friendly downtown. Town Council has approved the creation of the Town Core Zone District.

Summit Sky Ranch (aka South Maryland Creek Ranch) – The first Final Plat has been submitted for review.

Lake Dillon Theatre Company (LDTC) – Design work continues on this exciting new Performing Arts Center. The Preliminary Plan has been reviewed and approved by the Planning Commission and Town Council. The Final Site Plan has been submitted for review.

Transportation Plan Update – Staff is working on the update to the Town Transportation Plan. This includes gathering traffic counts at various intersections as well as modeling the Level of Service. Staff will be discussing the impacts to Highway 9 in the Town Core with representatives from CDOT.

University of Colorado Environmental Design Studios – Two undergraduate studios from the College of Environmental Design will be studying Silverthorne for this semester. One class will be focusing on the Town Core area, the other will be focusing on workforce housing, specifically Smith Ranch. Staff continues to meet with the students to discuss these exciting issues.

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):

- Marshall's – Site Plan Modification
- Mattress Firm – Preliminary Site Plan
- South Maryland Creek Ranch (Summit Sky Ranch) – Final Plat
- Silverthorne Performing Arts Center – Final Plan

Recreation and Culture – February 18, 2016

This week marked Front Desk Manager, Nolan Thill's last day with the

Recreation Center. He has worked for the Town for nearly five years and will be missed as an integral part of the Recreation Center leadership team. In his place, we have posted the restructured job of Guest Services Coordinator. This position will work closely with all other Coordinators to provide quality service to our guests and will report to the newly created Recreation Center Manager. Steven Herrman, former Facility Coordinator, was promoted to the Manager position to assist the department with management of the Recreation Center daily operations and also to be the liaison with the Public Works Parks and Building Managers. Thank you and congratulations to Steven for accepting these new responsibilities!

Staff worked with Betty Ashley Public Relations (BAPR) to create a wrap for the Summit Daily News the Friday prior to President's Day Weekend. This wrap gave a headline to Silverthorne with a message and graphic which were crafted by Spin, BAPR's graphic design partner. The message was a pseudo love letter to Silverthorne, which was one of the "Buzzworthy Ideas" listed in Silverthorne's newly adopted Strategic Communications Plan. The letter was paired with advertisements touting the signature events that Silverthorne hosts over the holiday weekend including, Father Daughter Date Night, Valentine's Comedy, The Pabst Colorado Pond Hockey Tournament, Après Ice concert at the Pavilion, and the Fly Fishing Film Tour. The Outlets at Silverthorne also joined the marketing opportunity with a full page of coupons for holiday shoppers.

In regards to the events listed above, turnout was fantastic with over 200 participants at Father Daughter Date Night, a sold out show for Valentine's Comedy, and over 150 tickets sold at the door for Après Ice Party (which doesn't include the hockey players who receive free admission). The pond hockey tournament was sold out with over 120 teams of 6 players each. The Fly Fishing Film Tour will be held this evening at the Pavilion.

Staff has been working with Lake Dillon Theatre Company (LDTC) to arrange events to celebrate important milestones in LDTC's move to Silverthorne. The first event will be held in March at the new theatre location in The Outlets. The event will be a community open house with a panel discussion, displays of the new theatre design and refreshments. The second event will be a groundbreaking event in late April or early May to properly kick off construction at the new theatre site. This event will include entertainment and messages from key stakeholders, followed by a VIP reception for project donors. Stay posted for more information on both of these events.

Staff has met with council woman JoAnne Nadalin and Economic Development Advisory Committee Member Brian Edney to begin planning for the Arts and Culture Advisory Committee formation. Special consideration is being taken regarding how the committee is structured to help poise this much anticipated group for success.

Upcoming Pavilion Events

Feb 18	SMS Courage Retreat
	Cutthroat Anglers Movie Premier
Feb 19	County Western Dance
Feb 20	Wedding
Feb 21	Wedding
Feb 23	Yoga
Keystone Symposia	
Feb 25	Yoga
	Construction Contractor Open House
Feb 26	Wedding
Feb 27	Rocky Mt. Conference
Feb 29	Wedding
Mar 1	Yoga
	Summit Republicans
Mar 2	Keystone Symposia
Mar 3	Yoga
	Café Concert
Mar 4	Keelan Donovan Concert
Mar 5	Wedding
Mar 6	FIRC Kids Party

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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: **February 19, 2016 for meeting of February 23, 2016**
SUBJECT: **Town Council Meeting Minutes, February 10, 2016**

SUMMARY:
Staff asks the Town Council to approve the Town Council Meeting Minutes from February 10, 2016

STAFF RECOMMENDATION:
Staff recommends approval of the Minutes from the meeting.

PROPOSED MOTION:
Included in the Consent Calendar motion.

ATTACHMENTS:
Meeting Minutes.

MANAGER'S COMMENTS:

SILVERTHORNE TOWN COUNCIL
Meeting Minutes
Wednesday, February 10, 2016

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, Acting Chief of Police Misty Higby, Administrative Services Director Donna Braun, Recreation Director Joanne Cook, Public Works Director Bill Linfield, Assistant Town Manager Mark Leidal, Senior Planner Lina Lesmes, Planner I Greg Roy, Aquatics Coordinator Paul Kulik, Town Attorney Matt Mire and Executive Assistant Susan Schulman

The Pledge of Allegiance was recited by those present.

STAFF COMMENTS:

Cook reported on Father-Daughter Date Night on February 12, Valentine's Day Comedy Show on February 14, and the Fly Fishing Film Festival February 18. All events take place at the Pavilion. Cook continues to work with the PR and marketing companies.
Kulik reported on the Pond Hockey tournament taking place at North Pond Park from February 12 - 14. There are 160 teams registered and 12 rinks on the pond. A concert will take place at Pavilion Saturday night.
Higby introduced new Silverthorne Police Officer, Skylar Steel. Council welcomed Steel to staff.

COUNCIL COMMENTS:

Camp congratulated Paul on his hard work with the Pond Hockey tournament; it puts Silverthorne on the map.
Long thanked the Town for supporting the improvements on Highway 9 between Silverthorne and Kremmling. She hopes that the State can continue the fence from Ute Pass Road to the county line because it is such a dangerous stretch of road; and that Council will encourage State support.

CITIZEN COMMENTS:

None.

CONSENT CALENDAR:

CAMP MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE MINUTES FROM JANUARY 27, 2016; RESOLUTION 2016-04 APROVING A LEASE/PURCHASE WITH NBH BANK; RESOLUTION 2016-05 AUTHORIZING STAFF TO AMEND THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH BETTY ASHLEY PUBLIC RELATIONS TO INCLUDE A SCOPE OF WORK AND FEES FOR SERVICES FROM FEBRUARY 11, 2016 THROUGH MARCH 31, 2017; REPLAT – THE CABINS AT ANGLER MOUNTAIN RANCH, FILING NO. 4 – FIRST AMENDMENT. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

SOUTH MARYLAND CREEK RANCH GENERAL IMPROVEMENT DISTRICT BOARD

A. Resolution 2016-01; a Resolution Exempting South Maryland Creek Ranch from Audit for Fiscal Year 2015

Donna Braun, Finance Director, reviewed her memo from the packet and explained the special district north of town. State laws require annual audits unless specifically exempted by the governing authority. Paper work will be submitted on approval.

CAMP MOVED TO APPROVE RESOLUTION 2016-01. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

PUBLIC HEARINGS:

A. Peterson Conditional Use Permit and Site Plan Modification for an Accessory Residence - 933 Blue River Parkway, Lot 6A – 2, Silverthorne Subdivision #2

Public hearing opened.

Greg Roy, Planner I, presented and explained the project and the background on the project, Including Public Comment received from Blue River Business Center (BRBC).

Council discussed their concerns and the conditions of approval including parking, public decency, video surveillance, the atmosphere of housing – possibly with children living in the apartment – at an auto repair facility and car wash, landscaping and signage maintenance.

The Applicant, Chris Peterson, addressed Council and reviewed the BRBC's letter of concern point by point. He stated that he is willing to install a fence and add to his current video surveillance system.

Public Comments:
Fin Doyle, Sulas Solar, BRBC, reiterated that he wanted a fence built between the properties.

Public hearing closed.

Council Comments:
Long understands that parking is a problem and is concerned about the potential of a family living in the apartment. Residency needs to be controlled by the owner. Workforce housing is an important issue and understands the benefit of being able to offer staff housing.

Nadalin suggested 3 additional conditions for approval, supported by Camp and Fowler: construction of a fence, improved directional signage, and improved video surveillance.

Butler supports the accessory residence as it fulfills a need in Town.

NADALIN MOVED TO APPROVE THE PETERSON CONDITIONAL USE PERMIT AND SITE PLAN MODIFICATION AT 933 BLUE RIVER PARKWAY WITH THE PLANNING COMMISSION RECOMMENDATIONS AS WELL AS:

1. **APPLICANT WILL CONSTRUCT AND MAINTAIN A 4 FOOT SPLIT RAIL FENCE.**
2. **APPLICANT WILL REVIEW THE DIRECTIONAL SIGNAGE AND WILL ASSURE ITS READABILITY YEAR-ROUND.**

3. APPLICANT WILL WORK WITH SILVERTHORNE PUBLIC SAFETY TO ENSURE HIGH QUALITY AND SUFFICIENT VIDEO SURVEILLANCE ON THE PROPERTY. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

B. Ordinance 2016-01; an Ordinance Amending Chapter 4, Article IV, Zoning Districts and Standards, to Establish the Town Core Zone District and the Use Schedule for the Town Core Zone District, 2nd Reading

Public hearing opened.
Lina Lesmes, Senior Planner presented Ordinance 2016-01 establishing Section 4-4-35 of the Town Core Zone District and to add zoning standards, residential density and development incentives. The revisions are based on recommendations of the 2014 Town of Silverthorne Comprehensive Plan. She reviewed the background and public process of the two step process. This is the first step establishing 4-4-35, Town Core Zone District which is a Section under Chapter 4, Article IV of the Silverthorne Town Code. She reviewed her staff report and recommend approval. She reviewed non-conforming uses in the Zone District and grandfathering those uses in. She requested approval of Ordinance 2016-01.
Council and staff discussed zero lot line, placement of buildings and fire code restrictions.

Citizen comments:
Lynne McMahon, Hudson Auto Source, wants it on record that the map she received in the mail and at the public meetings in December is different than the map that was in the 2-10-16 packet.
Bob Lawrence stated that what was presented on the screen during tonight's meeting is not what was given to business owners. My opinion all along is that Rainbow Drive should be Silverthorne's main street.

Public hearing closed.

Council comments:
Sandquist appreciates McMahon and Lawrence's comments related to the map. Tonight's issue is an ordinance establishing the uses for this zone, so the map is just outlining the area of the zone; it is not re-zoning anyone's property.
Long has decided she does not support this ordinance, does not support all the CUPs that have been allowed, and feels it is hindering current and long term businesses.
Butler respects the legacy uses, appreciates the long time businesses in Silverthorne and does not want to see them harmed.

SANDQUIST MOVED TO APPROVE ORDINANCE NO. 2016-01; AN ORDINANCE AMENDING CHAPTER 4, ARTICLE IV, ZONING DISTRICTS AND STANDARDS TO ESTABLISH THE TOWN CORE ZONE DISTRICT AND THE USE SCHEDULE FOR THE TOWN CORE ZONE DISTRICT. MOTION SECONDED. MOTION PASSED 5-1 BY COUNCIL (LONG NAY).

<u>ACTION ITEMS:</u>

A. Marshalls Site Plan Modification – 297 Summit Place, Tract A, Summit Plaza Subdivision

Greg Roy, Planner I, presented the applicant's request for a Site Plan Modification at Marshalls, 297 Summit Place.

Council discussed conditions of approval; parapets should match for aesthetics, but understand that each of the TJX brands have their own look, ADA parking and ramp should be safe and accessible.

Jessica Wiebesiek, with the architectural firm, Camburas & Theodore Ltd. representing TJX Companies (Marshalls).

Council comments:
Long is happy to see Marshalls coming to Silverthorne.
Sandquist asked about timing. Wiebesiek replied Summer 2016; Marshalls has an 8-12 week build out.
Richardson asked about the number of employees in the store. Wiebesiek answered about 50 people on both full-time and part-time shifts.

SANDQUIST MADE A MOTION TO APPROVE THE MARSHALLS SITE PLAN MODIFICATION AT 297 SUMMIT PLACE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

DISCUSSION ITEMS:

Long – Summit County Commissioners have been discussing proposed sales taxes for workforce housing. Business owners, like Chris Peterson, also have to take responsibilities. But are the County Commissioners doing anything to assist employers?

Richardson supports workforce housing in Silverthorne's Town Core.

Linfield answered Long's questions about new staffing: Facilities Manager started January 1, 2016 and 2 new Building Maintenance Techs will be starting next week. Interviews 1st week of March for Parks Manager; 19 applications received. Linfield will introduce new staff to Council at upcoming meetings.

INFORMATIONAL:
A. Planning Commission Meeting Minutes, February 2, 2016
B. SPORT Committee Meeting Minutes, January 21, 2016

SANDQUIST MOVED TO ADJOURN. MOTION SECONDED. MEETING ADJOURNED AT 7:58 P.M.

_____
BRUCE BUTLER, MAYOR

ATTEST

_____
SUSAN SCHULMAN, EXECUTIVE ASSISTANT

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

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: **February 18, 2016 for meeting of February 24, 2016**
SUBJECT: **First Reading of Ordinance 2016-02, An Ordinance Rezoning Certain Real Property from C-1, Light Commercial Zone District, and C-2, Heavy Commercial Zone District to TC, Town Core Zone District.**

PROPOSAL: Ordinance 2016-02 proposes to rezone the properties shown on the map to Town Core Zone District. The majority of the properties are currently zoned C-1, Light Commercial Zone District, and a fraction of the properties are zoned C-2, Heavy Commercial Zone District. The revisions proposed are based on the recommendations of the 2014 Town of Silverthorne Comprehensive Plan, and constitute the second step in creating a TC, Town Core Zone District.

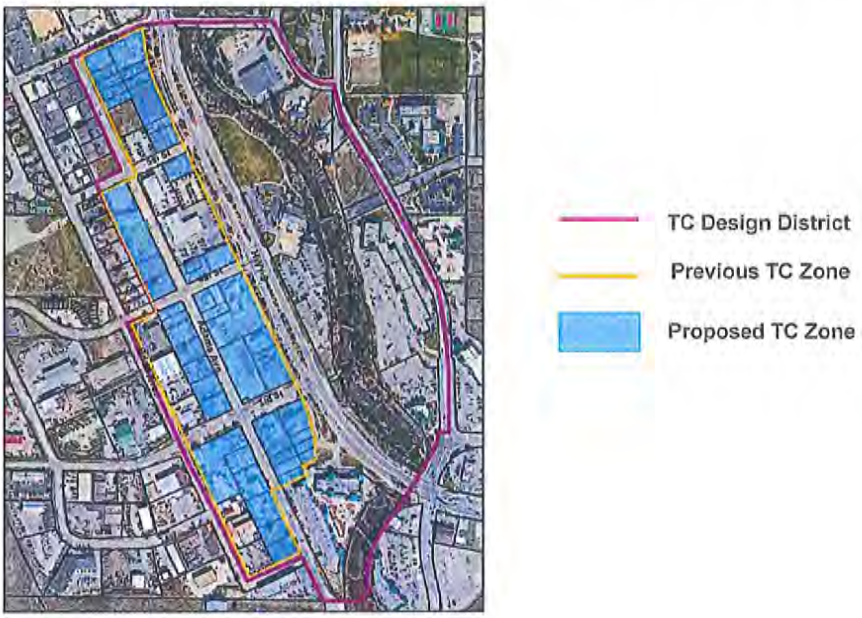
PREVIOUS COUNCIL ACTION: On May 28, 2014, Town Council adopted the 2014 Town of Silverthorne Comprehensive Plan. The updated Comprehensive Plan provided recommendations for the physical development of the Town Core District as a compact, pedestrian-oriented commercial area. Updating the Design Standards 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. Creating a Town Core zoning designation is considered the next step in implementing the vision for the downtown, and in reducing conflicts between the zoning and use standards, the Town Core Design District Standards and Guidelines, and the 2014 Comprehensive Plan. On February 10, 2016, Town Council approved Ordinance 2016-01, an Ordinance amending Chapter 4, Article IV to establish the Town Core Zone District and the Use Schedule for the Town Core Zone District.

Town of Silverthorne
Town Council Memorandum

BACKGROUND: On October 13, October 20, and November 3, 2015, Staff met with Town Council, Planning Commission, and EDAC, respectively, to discuss the proposed Town Core Zone District. Following those discussions, Staff invited the affected property owners and the general public to attend a Town Core Business Coffee on November 18, 2015, and a Community Open House on December 2, 2015. Informational boards were displayed to facilitate discussion and gather feedback from the approximate 30-40 attendees of both events. The majority of property owners and members of the public in attendance expressed overall support for the project and the community's plans for a vibrant walkable downtown.

The Rezoning process is detailed in Section 4-4-15 of the Town Code. Per that Code Section, a Rezoning involves a Community Meeting, held on January 26, 2016, and a properly noticed public hearing by Planning Commission, held on February 16, 2016. In addition, Town Council is required to adopt an ordinance Rezoning the properties in question to Town Core Zone District. The Rezoning Ordinance is scheduled for Town Council review on February 24, 2016 and on March 9, 2016.

In response to the comments expressed by several property owners at the January 26, 2016 Community Meeting, Staff revised the boundaries of the proposed Town Core Zone District, to exclude 6 properties along Brian Avenue that are currently zoned C-2. In addition, the 5 properties owned by the Hudson Trust are currently not proposed to be rezoned to Town Core, as the Town and the property owner work to determine the most suitable zoning designation for those properties.



STAFF COMMENTS: Town Council shall consider a Rezoning based on consistency with the Comprehensive Plan, and consistency with Chapter 4 of the Town Code.

Comprehensive Plan: The Silverthorne Comprehensive Plan reflects the goals and objectives of the community. Staff finds there are a number of Comprehensive Plan polices relevant to the proposed Rezoning.

Policy LU 2 TC.1 *- In the Town Core District, prioritize development that promotes pedestrian*

activity and provides a critical mass of diversified land uses, including a variety of retail shops, offices, hotels, entertainment, restaurants and outdoor cafes, transportation hubs, and other compatible uses that are harmonious with a walkable, urban-style, downtown experience.

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

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

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

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

Policy LU 2 TC.8 *– Prohibit uses within the Town Core District that diminish the quality of a downtown experience, such as auto-oriented or large-scale retail stores that prefer suburban development form. Anchors such as national brand restaurants, or smaller scale chain stores, may be appropriate to bolster recognizability and broad appeal, provided they meet Town Core Design Standards.*

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.*

The Town Core Zoning designation prioritizes land uses conducive to a downtown environment, and prohibits auto-oriented uses that prefer suburban development. In addition, the Town Core Zone standards incentivize mixed use development with residential uses above ground floor commercial, require minimal setbacks, promote on-street parking, and encourage landscaping that creates gathering areas. Staff finds that the proposed Rezoning serves to implement the policies of the Comprehensive Plan for the area located west of HWY 9 to Brian Avenue, and between 2nd and 6th Streets.

Chapter 4, Article IV, Zoning Districts and Standards: Ordinance 2016-02 proposes TC, Town Core Zoning for 41 properties currently zoned C-1, Light Commercial District, and 6 properties zoned C-2, Heavy Commercial Zone District. Section 4-4-35 provides the standards for the TC, Town Core Zoning, which are summarized below:

- Intent – To establish a compact, urban area with uses, form, and amenities that contribute to a walkable downtown environment.

- Uses – In accordance with Policy LU 2 TC.8, uses that diminish the quality of a downtown experience, including *'Auto Sales'*, *'Auto Repair'*, *'Equipment Rental'*, and *'Auto Gas Station'*, are not permitted on properties zoned TC, Town Core. Uses in the Town Core Zone District include 16 permitted uses by-right (R), 1 use as Accessory (A), 1 use as Conditional as Accessory (C/A), and 13 uses permitted with conditional use permit approval (C).
- Lot Coverage and Setbacks – To incentivize building forms and site layouts conducive to a downtown environment (Policy LU 2 TC.2), properties zoned TC, Town Core have minimal setback requirements, and no lot coverage maximum.
- Density - Residential density is desired in a downtown setting to contribute to a critical mass of people, to promote a mix of uses, and to provide additional housing options. Properties zoned TC, Town Core are allocated a density 16 units per acre. Residential dwelling units are not permitted on the ground floor.
- Density Bonus – In order to incentivize the construction of workforce or senior housing, properties in the TC, Town Core are permitted to exceed the maximum density, in return for placing a deed restriction on a percentage of the bonus units.
- Parking – To encourage parking solutions that support commercial development in a downtown environment, properties zoned TC, Town Core may propose reduced parking, on-street parking, and reduced setbacks for parking areas.
- Landscaping – Properties zoned TC, Town Core, are encouraged to utilize alternative forms of landscaping that promote outdoor spaces for people to gather, including outdoor seating, plazas, gazebos, and street trees.

PLANNING COMMISSION RECOMMENDATION: On February 16, 2016, by a vote of 4-0, Planning Commission voted to recommend approval of Ordinance No. 2016-02; An Ordinance Rezoning Certain Real Property from C-1, Light Commercial Zone District, and C-2, Heavy Commercial Zone District, to TC, Town Core Zone District.

Suggested Motion: "I move to approve Ordinance No. 2016-02; An Ordinance Rezoning Certain Real Property from C-1, Light Commercial Zone District, and C-2, Heavy Commercial Zone District, to TC, Town Core Zone District, on first reading.

ALTERNATIVE MOTION: Should the Town Council not be in favor of the proposed ordinance, a motion is not necessary.

ATTACHMENTS:
Exhibit A: Ordinance No. 2016-02

MANAGER'S COMMENTS:

_____

_____

_____

EXHIBIT A

TOWN OF SILVERTHORNE, COLORADO
ORDINANCE NO. 2016-02

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SILVERTHORNE REZONING CERTAIN REAL PROPERTY IN THE TOWN OF SILVERTHORNE FROM C-1, LIGHT COMMERCIAL AND C-2, HEAVY COMMERCIAL TO TC, TOWN CORE

WHEREAS, Chapter 4, Article IV of the Silverthorne Town Code establishes zone districts and standards;

WHEREAS, on February 10, 2016, Town Council approved Ordinance No. 2016-01, an Ordinance amending Chapter 4, Article IV, to establish the Town Core Zone District and the Use Schedule for the Town Core Zone District;

WHEREAS, the intent of the establishment of the Town Core Zone District was to allow the Town to rezone certain properties from C-1, Light Commercial and C-2, Heavy Commercial to TC, Town Core;

WHEREAS, a map of those properties is attached hereto as **Exhibit A** and incorporated herein by this reference;

WHEREAS, on November 18, 2015, December 2, 2015, and January 26, 2016, the Town held publicly-noticed community meetings, and the owners of property to be rezoned to TC, Town Core were provided with notice of such community meetings and an opportunity to be heard at such community meetings;

WHEREAS, on February 16, 2016, the Planning Commission held a properly-noticed public hearing on the proposal to rezone certain properties from C-1, Light Commercial and C-2, Heavy Commercial to TC, Town Core;

WHEREAS, the Planning Commission recommended approval of the proposal to rezone certain properties from C-1, Light Commercial and C-2, Having Commercial to TC, Town Core;

WHEREAS, on February 24, 2016 and March 9, 2016, the Town Council held properly-noticed public hearings on the proposal to rezone certain properties from C-1, Light Commercial and C-2, Heavy Commercial to TC, Town Core; and,

WHEREAS, having considered the recommendation of the Planning Commission, the input from Town staff and the comments from the public and property owners, the Town Council now wishes to rezone certain properties from C-1, Light Commercial, and C-2, Heavy Commercial to TC, Town Core.

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

Section 1. The Town Council finds and determines as follows: the rezoning of the properties described in Sections 2 and 3 hereof to TC, Town Core, complies with the Silverthorne Comprehensive Plan; the requirements of § 4-4-15 of the Silverthorne Town Code have been met; and the rezoning of the properties described in Sections 2 and 3 hereof to TC, Town Core, is in the best interest of the public health, safety and welfare.

Section 2. The following properties are hereby rezoned from C-1, Light Commercial Zone District to TC, Town Core Zone District:

Lots 1, 2 Block C, Silverthorne Colorado Subdivision
Lots 1, 2 Block D, Silverthorne Colorado Subdivision
Lots 1, 2, 3, 4 Block B, Silverthorne Colorado Subdivision
Lot 11 Block G, Silverthorne Colorado Subdivision
Lots 11, 12 Block C, Silverthorne Colorado Subdivision
Lot 12 Block A, Silverthorne Colorado Subdivision
Lot 12 Block G, Silverthorne Colorado Subdivision
Lot 12R Block D, Silverthorne Colorado Subdivision
Lot 13 Block A, Silverthorne Colorado Subdivision
Lot 13 Block G, Silverthorne Colorado Subdivision
Lots 13R, 14, 15, 16, 17, 18 Block B, Silverthorne Colorado Subdivision
Lot 14, BANK NA Subdivision
Lot 15R, BANK NA Subdivision
Lot 19 Block D, Silverthorne Colorado Subdivision
Lot 2 Block A, Silverthorne Colorado Subdivision
Lot 20 Block D, Silverthorne Colorado Subdivision
Lot 21 Block D, Silverthorne Colorado Subdivision
Lot 22 Block B, Silverthorne Colorado Subdivision
Lot 22 Block D, Silverthorne Colorado Subdivision
Lot 23 Block B, Silverthorne Colorado Subdivision
Lot 23, 24 Block B, Silverthorne Colorado Subdivision
Lot 23R Block D, Silverthorne Colorado Subdivision
Lot 3 Block A, Silverthorne Colorado Subdivision
Lot 3 Block D, Silverthorne Colorado Subdivision
Lots 3, 4 Block G, Silverthorne Colorado Subdivision
Lot 3R Block H, Silverthorne Colorado Subdivision
Lot 4 Block A, Silverthorne Colorado Subdivision
Lots 4, 5, 6, 7 Block D, Silverthorne Colorado Subdivision
Lot 401, Twin Seasons Vacations
Lots 5, 6 Block B, Silverthorne Colorado Subdivision
Lots 5, 6 Block G, Silverthorne Colorado Subdivision
Lots 5, 6, 7 Block A, Silverthorne Colorado Subdivision
Lots 5, 6, 7, 8, 9, 10, 11, 12 Block H, Silverthorne Colorado Subdivision
Lots 7, 8, 9, 10, 11, 12, 19, 20, 21 Block B, Silverthorne Colorado Subdivision
Lot 7R Block G, Silverthorne Colorado Subdivision
Lot 8 Block D, Silverthorne Colorado Subdivision

Lot 9 Block D, Silverthorne Colorado Subdivision
Lots 9, 10 Block G Silverthorne Colorado Subdivision
Tract A Block B, Silverthorne Colorado Subdivision
Units 1, 11-14, 21-24, Silvery Valley Condos
Units A, B, C, D, F, G, H, Cortina Suites Condos

Section 3. The following properties are hereby rezoned from C-2, Heavy Commercial Zone District to TC, Town Core Zone District:

Lots 1, 2 Block F, Silverthorne Colorado Subdivision
Lots 11, 12 Block F, Silverthorne Colorado Subdivision
Lots 13, 14 Block F, Silverthorne Colorado Subdivision
Lots 3, 4 Block F, Silverthorne Colorado Subdivision
Lots 5, 6, 7 Block F, Silverthorne Colorado Subdivision
Lots 8R Block F, Silverthorne Colorado Subdivision
Lots 23, 24, 25, 26, 27, 28, Block F Silverthorne Colorado Subdivision

Section 4. The Town's official zoning map shall be updated to reflect the rezoning of properties set forth in this ordinance.

Section 5. Safety Clause. The adoption of this ordinance will promote the health, safety, and general welfare of the Silverthorne community.

Section 6. 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 7. Effective Date. This ordinance shall be effective upon adoption at second reading, pursuant to Sections 4.5 and 4.7 of the Silverthorne Home Rule Charter.

READ AND PASSED ON FIRST READING THIS ____ DAY OF _____, 2016.

ADOPTED ON SECOND AND FINAL READING THIS ____ DAY OF _____, 2016.

TOWN OF SILVERTHORNE, COLORADO

_____
Bruce Butler, Mayor

ATTEST:

_____
Michele Miller, Town Clerk

Approved on the first reading: _____, 2016
Published by title only: _____, 2016
Approved on the second reading: _____, 2016
Published by title only: _____, 2016
(with amendments, if amended on second reading): _____, 2016

EXHIBIT A

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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: **February 18, 2016 for meeting of February 24, 2016**
SUBJECT: **First Reading of Ordinance 2016-03, An Ordinance Approving a Major Amendment to the Silverthorne Town Center Planned Unit Development, located on Tracts A and B, Silverthorne Town Center Subdivision.**

PROPOSAL: The applicant, Town of Silverthorne, is proposing a Major Amendment to the Silverthorne Town Center Planned Unit Development (PUD) to update the language and modify the list of permitted and conditional uses. Major PUD Amendments constitute a Rezoning, and are, therefore, required to be accompanied by an ordinance. Ordinance 2016-03 is the proposed ordinance approving the Major Amendment to the Silverthorne Town Center PUD.

The Town Center PUD governs Tracts A and B, Silverthorne Town Center Subdivision, located at 354,358,400, and 460 Blue River Parkway. Tract A contains the Silverthorne Pavilion, the event lawn, 101 parking spaces, portions of the Blue River, and the East 4th Street Right-of-Way. Tract B contains a mixed-use building and a commercial building, 94 parking spaces, and dispersed landscaping.

PREVIOUS COUNCIL ACTION: On March 30, 2000, Town Council approved the Town Center Phase I, Final PUD, which included the Pavilion. Construction of the Pavilion was completed in June of 2001. The first Town Center Comprehensive Sign Plan was approved by Town Council in 2001.

Town Council entered into a Ground Lease Agreement with Alberta Development Partners LLC, on December 8, 2004, to design and construct Town Center Phase II (Tract B). The Ground Lease was for a period of 25 years, with three possible 5-year extensions, for a potential total of 40 years.

On May 25, 2005, Town Council approved a Major Amendment to the Town Center PUD, a Commercial Subdivision, and a Site Plan for Phase II of the Town Center. The approval formalized the PUD Guide, and outlined the specific uses permitted on the site, setbacks, building heights, and other development standards. The Site Plan proposed one mixed-use building labeled the 'River Building', and a commercial building labeled the 'Parkway Building' as part of Phase II of the Town Center. The Commercial Subdivision created Tracts A and B of the Silverthorne Town Center Subdivision. As part of the subdivision, the Town entered into an Access, Parking, Utility, and Snow Stack Agreement to allow for the shared use of vehicular and pedestrian access, parking areas, utilities, and snow storage on the two tracts of the Town Center.

On June 14, 2005, Town Council approved the second Comprehensive Sign Plan for the Town Center. The Sign Plan allocated signage for each commercial unit, and established the locations of wall mounted and freestanding signs on the buildings and property.

Since the 2005 approvals, Town Council approved a series of modifications to the original PUD, Site Plan, and Comprehensive Sign Plan. On June 14, 2005, Town Council approved a revised Comprehensive Sign Plan for the Town Center. On August 10, 2005, Town Council approved a Site Plan Modification and Wetland and Waterbody Disturbance Permit for the Town Center plaza and river path. On April 12, 2006, Town Council approved a Site Plan Modification to modify the architecture of the approved stairwell on the north side of the River building, and to modify the screening of its utilities. Finally, on September 12, 2007, Town Council approved a Major PUD Amendment to the Town Center PUD to modify the PUD Guide and allow an additional 3 permitted uses, and an additional 2 conditional uses.

On July 9, 2014, Town Council approved by ordinance the sale of Tract B, Silverthorne Town Center Subdivision to NRC Silverthorne 1, LLC. On June 10, 2015, Town Council approved a variance to allow a 20-foot tall freestanding sign with an area of 89 square feet, and located within the 5-foot setback on Tract B, Silverthorne Town Center.

BACKGROUND: In 2015, the Town partnered with the Lake Dillon Theater Company to design and construct a new Performing Arts Center on Tract A, Silverthorne Town Center Subdivision. The two-level building is proposed to house a black box theater, secondary performance spaces, dressing rooms, offices, and a pre-function gathering area and lobby.

The site is governed by the Town Center PUD, which provides standards for uses, setbacks, height, and architecture, among others. Per that document, the use of '*Performing Arts Center*' or the broader term, *'Arts and Entertainment Facility'*, are not listed as a permitted or conditional uses in the Town Center. As a condition of approval of the Preliminary Site Plan for the Silverthorne Performing Arts Center, approved by Town Council on December 9, 2015, the applicant was required to process a Major PUD Amendment to the Town Center PUD to update the language and uses therein.

STAFF COMMENTS – MAJOR PUD AMENDMENT: In accordance with Section 4-1-22, a PUD Major Amendment follows the Final PUD review process, and requires a public hearing by Planning Commission and Town Council. Section 4-4-14(g)(3) sets forth the criteria for approval of a Final PUD Plan, which are: *a) Consistency with the Comprehensive Plan and other Town master plans and standards; and, b) Consistency with Chapter 4 of the Town Code and other applicable standards established by the Town.* The PUD Guide shall include but not be limited to proposed land uses, densities, setbacks, building heights, lot coverages, parking requirements, landscaping requirements, and architectural standards.

Comprehensive Plan: The Silverthorne Comprehensive Plan reflects the goals and objectives of the community. The first criterion for review of a Major PUD Amendment is consistency with the Comprehensive Plan. Staff finds there are a number of Comprehensive Plan polices relevant to the proposed PUD Amendment.

Policy LU 1.1 *– Encourage a logical pattern of development, in which the highest density and intensity is found in the Town Core and Gateway commercial districts, radiating outward to the Periphery, Business Park, and Destination Commercial districts; eventually to lower density residential development on the northern and eastern edges of Town.*

Policy LU 1.3 *– Promote compatibility of land uses throughout Silverthorne's built environment to establish a logical, cohesive development pattern.*

Policy LU 1.4 *– Encourage infill development and redevelopment prior to the establishment of new commercial areas in Silverthorne.*

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

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

Policy 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 1.2 *– Utilize lighting, public art, distinctive landscaping, signage and architectural elements to delineate Silverthorne's gateways, reinforce the Town's identity and brand, and promote events and the Town Core.*

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

Policy CD 3.7 *– 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.*

The Comprehensive Plan encourages the development of existing commercial areas, and supports diversified land uses that promote pedestrian activity in the Town Core, including entertainment uses. The Comprehensive Plan also emphasizes pedestrian connectivity, celebration of the Blue River, public art, gathering and entertainment areas in the downtown, and the consolidation of site elements such as parking and snow storage. Staff finds that the proposed PUD Amendment clarifies and updates the language of the existing PUD Guide, and is in compliance with the stated policies of the Comprehensive Plan.

Zoning/Land Use: The Town Center PUD Guide provides zoning standards for Tract A and Tract B, Silverthorne Town Center Subdivision. The PUD was adopted in 2005, prior to the platting of the Town Center Tracts, and construction of Phase II of the Town Center. In addition, the PUD was established prior to the updates to the Use Schedule (2013), the update of the Comprehensive Plan (2014), the revisions to the Riverfront Zone District (2015), and the adoption of the Town Core Design District Standards and Guidelines (2015). As such, much of the language in the PUD Guide is outdated.

Uses – The Town Center PUD Guide specifies 34 permitted uses, and 8 conditional uses. Staff is proposing to consolidate the list of uses into broader, more general use categories. The proposed reclassification follows the format of the 2013 update of the Use Schedule, which resulted in a more modern, user-friendly, and flexible list of uses.

Below is the definition of *'Arts and Entertainment Facility'* that was added to Section 4-2-1 as part of the 2013 Use Schedule update:

> Arts and Entertainment Facility means an establishment engaged in the presentation or application of the fine arts; and/or an establishment that provides space or equipment used for the entertainment of patrons. Such facilities include, but are not limited to, dance studios, theaters, painting studios, bowling alleys, miniature golf facilities, and pool halls.

Staff is proposing to consolidate the existing list of uses in the Town Center PUD to 15 permitted uses and 5 conditional uses. Staff is also proposing to add *'Arts and Entertainment Facility'* to the list of permitted uses to accommodate for a future Silverthorne Performing Arts Center. The changes proposed do not result in a loss of any permitted or conditional use currently permitted in the Town Center.

Density – The existing Town Center PUD permits a maximum of 25 residential units per acre. Changes to the density are not proposed as part of the Major PUD Amendment.

Setback Requirements – The Town Center PUD permits a 0-5 foot setback in the front, a 10 foot setback on the sides, and 25-foot setback from the Top of Bank of the Blue River. The PUD also specifies the setback requirements for parking areas. Changes to the setbacks are not proposed as part of the Major PUD Amendment.

Height Requirement – The current PUD imposes a maximum height that varies from 25 to 35 feet, based on the distance from the front property line (adjacent to HWY 9). The variable height was adopted to ensure that buildings 'step down' as they approach or come in closer proximity to the street.

Staff is proposing to amend the height requirement to be the maximum that is described in the Design District Standards and Guidelines, which establish height maximums for the Town's six commercial districts. In the case of the Town Center, which is governed by the Town Core District Design Standards and Guidelines, the height maximum is 45 feet. The 'stepping-down' of buildings is achieved through architectural elements and design features required by the Town Core Design District Standards. As such, Staff finds that the amended

height standard is clearer to implement, supports the character of the Town Core Design District, and does not have any adverse visual effects on surrounding property owners.

Pedestrian Connections – The PUD requires pedestrian connections to the riverfront pathway in Subsection J. In accordance with the requirements of the Town Core Design District Standards and Guidelines, Staff is proposing to clarify the language to require that pedestrian connections be from principal building entrances, around buildings, to the riverfront pathway. In addition, minor revisions and language updates are proposed to Subsection L, regarding Path Connections. Because the pathway along the Blue River on Tracts A and B of the Silverthorne Town Center has already been constructed, the reference to its future location is proposed to be deleted.

Architectural/Building Design Standards – Subsections M, N, O, P, Q, and R of the Town Center PUD Guide provide standards related to architecture, building design, and screening. The standards were created in 2005, prior to the adoption of the Town Core District Design Standards and Guidelines. Because the site is governed by the Town Core District Design Standards and Guidelines, which provide standards related to architecture, building massing, and screening, Staff is proposing to delete Subsections M-R. Staff finds that deferring all architectural standards to the adopted Town Core Design Standards enhances consistency between Town regulatory documents.

Community Meeting – Per the requirements of Section 4.1.22, the applicant held a public Community Meeting on February 2, 2016, for review of the proposed amendments to the PUD by property owners within 200 feet. Flip Brumm was the only member of the public in attendance.

PLANNING COMMISSION RECOMMENDATION: On February 16, 2016, by a vote of 4-0, Planning Commission voted to recommend approval of the Major PUD Amendment to the Silverthorne Town Center Planned Unit Development (PUD).

Suggested Motion: "I move to approve Ordinance 2016-03, An Ordinance Approving a Major Amendment to the Silverthorne Town Center Planned Unit Development, on first reading."

ALTERNATIVE MOTION: Should the Town Council not be in favor of the proposed ordinance, a motion is not necessary.

EXHIBITS:

Exhibit A: Ordinance 2016-03
Exhibit B: PUD Guide – Slash/Underline
Exhibit C: Letter from Tom Ethington, Manager, NRC Silverthorne 1, LLC.

MANAGER'S COMMENTS:

_____

_____

_____

EXHIBIT A

TOWN OF SILVERTHORNE, COLORADO
ORDINANCE NO. 2016-03

AN ORDINANCE APPROVING A MAJOR AMENDMENT TO THE SILVERTHORNE TOWN CENTER PLANNED UNIT DEVELOPMENT

WHEREAS, on March 30, 2000, the Town Council approved the Town Center Phase I, Final PUD;

WHEREAS, on May 25, 2005, the Town Council approved a Major Amendment to the Town Center PUD, a Commercial Subdivision for the Silverthorne Town Center Subdivision, and a Final Site Plan for Phase II of the Town Center;

WHEREAS, on September 12, 2007, the Town Council approved a Major Amendment to the Town Center PUD to modify the PUD Guide and list of permitted and conditional uses;

WHEREAS, on December 9, 2015, the Town Council approved the Preliminary Site Plan for the Silverthorne Performing Arts Center, with the condition that the applicant process a Major PUD Amendment to the Town Center PUD;

WHEREAS, in part, the Amendment requests a modification to the list of permitted uses within the Town Center PUD;

WHEREAS, pursuant to Section 4-4-14(4)(b) of the Silverthorne Town Code, the Amendment constitutes a Major Amendment to the Town Center PUD;

WHEREAS, Major Amendments to final planned unit development plans are subject to the criteria set forth in Section 4-4-14(g)(3) of the Silverthorne Town Code;

WHEREAS, on February 16, 2016, after a properly noticed public hearing and consideration of the application and other information received, the Town's Planning Commission recommended approval of the Amendment;

WHEREAS, on March 9, 2015, the Town Council opened a properly noticed public hearing on the Amendment; and,

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

Section 1. Findings

The Town Council, having reviewed the application for the Amendment, all information and documentation provided, the comments of Town staff, the applicant and the public, and having considered the criteria set forth in Section 4-4-14(g)(3) of the Silverthorne Town Code, makes the following findings:

a. The Amendment is consistent with the Town's 2014 Comprehensive Plan by modifying the list of permitted an conditional uses to promote diversified land uses in the Town Core District that contributes to an appealing pedestrian environment.

b. The Amendment is consistent with the applicable sections of Chapter 4 of the Silverthorne Town Code.

Section 2. Approval
Based on the foregoing findings, the Town Council hereby approves the Major Amendment to the Town Center PUD.

Section 3: Safety Clause
The adoption of this Ordinance will promote the health, safety, and general welfare of the Silverthorne community.

Section 4: Severability
If any provision of this ordinance or portion thereof is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provision which can be given effect without the invalid portion.

Section 5. Effective Date
This ordinance shall be effective upon adoption at second reading, pursuant to Sections 4.5 and 4.7 of the Silverthorne Home Rule Charter.

READ, MOVED, AND PASSED ON FIRST READING ON THE __ DAY OF _____, 2016.

MOVED, SECONDED AND FINALLY PASSED ON SECOND AND FINAL READING, ON THE _____ DAY OF _____, 2016.

TOWN OF SILVERTHORNE, COLORADO

By:_____
Bruce Butler, Mayor

ATTEST:

By: _____
Michele Miller, Town Clerk

Approved on the first reading:	_____	_____,	2016
Published by title only:	_____	_____,	2016
Approved on the second reading:	_____	_____,	2016
Published by title only:	_____	_____,	2016
(with amendments, if amended on second reading):	___		2016

TOWN OF SILVERTHORNE
PUD Development Guide
Town Center I and II ~~Planning Area I and Planning Area II~~
(2016 Major PUD Amendment ~~Approved by Town Council: September 12, 2007)~~

PUD Zoning:

The Intent of the Planned Unit Development Zoning of the Town Center ~~Planning Areas I and II~~ is to allow for retail sales and service facilities, arts and entertainment establishments, restaurants, and residential and office uses~~ and establishments~~ wherein all activities are conducted inside and in a controlled manner outside as permitted~~controlled~~ by the Town of Silverthorne. Outside activities include outside dining, special events, public gathering, and passive recreation~~and active or passive activities in areas designed as public gathering spaces such as a fire pit or plaza~~. Other outdoor activities , such as sidewalk displays or outdoor retail sales, may be allowed with~~, such as sidewalk displays or outdoor retail sales, subject to~~ the review and approval of the Town of Silverthorne.

The PUD contains Tracts A and B of the Silverthorne Town Center Subdivision, which include the Town Pavilion, the Silverthorne Performing Arts Center, the River Building, and the Parkway Building~~Phase I, with Town Pavilion and park site, and Phase II, which is currently vacant consisting of 2.43 acres more or less and will be developed with multiple freestanding commercial/retail structures~~. Ancillary uses for the site include associated parking, loading dock and service areas, paved pedestrian walkways, storm ponds, snow storage and landscaping.

A. Concept of PUD Zoning:

1. The Blue River is the center and principal attraction of the Town. These~~is~~ sites are~~is~~ intended to promote the Blue River as the central image of the Town. All site development shall use and promote the intrinsic characteristics of the river and the riverfront property.
2. The site should be attractive from both the river and public right-of-ways. The Town encourages pedestrian friendly settings on site. Access should be obvious to a pedestrian from either the street or the river. Both new residential and business uses should provide outdoor open space on the riverside. Site design and landscape should be attractively and carefully planned.
3. The intent of the ~~of the~~ sites is to create a lively and vital mixed use development that ~~pedestrian and village-like setting which~~ enhances the community identity and sense of place and provides an economic anchor~~ in the core area~~. Development shall provide a pedestrian pathway paralleling the Blue River and connecting with adjacent pedestrian paths.
4. The Town encourages high quality development that provides a variety of architectural elements, and~~ that~~ avoids featureless design or large~~ and~~ uninterrupted facades~~repetition of building materials~~. Building massing, form, length and proportions shall be designed to provide variety of visual interest while maintaining a human scale that is appropriate. All development within the Town Center shall conform to the Town Core Design District Standards and Guidelines.~~Parking shall be located to provide safe, convenient and efficient access while also minimizing visual impacts and hidden from public view where possible. Screening of utilities, loading docks and truck parking is required.~~

TOWN OF SILVERTHORNE
PUD Development Guide
Town Center I and II~~Planning Area I and Planning Area II~~
(2016 Major PUD Amendment ~~Approved by Town Council: September 12, 2007~~)

B. Permitted uses:

B.1 Uses by Right:

1 Apartments
~~2 Art Gallery~~ (general retail)
2 Arts and Entertainment Facility
3 Bakery/ Coffee Shop/Delicatessen
~~4 Bank~~ (Professional Services)
~~5~~4 Bar/ Lounge
~~6 Beauty Shop (Hair Salon, Nails)~~ (Professional Services)
~~7 Book~~(general retail)
~~8 Clothing~~ (general retail)
~~9 Coffee Shop~~ (already noted)
~~10~~5Day Spa/Salon (Beauty, Hair, Massage, Tanning)
~~11 Delicatessen~~ (already noted)
~~12 Department Store~~ (general retail)
~~13 Drug Store, Pharmacy~~ (general retail)
~~14 Financial Services~~ (Professional Services)
~~15 Florist~~ (general retail)
~~16 Furniture Store~~ (general retail)
~~17 Garden supplies~~ (general Retail)
~~18~~6General Retail
~~19~~ ~~Grocery Store~~ (general retail)
~~20 Hair Salon~~ (already noted)
~~21 Home Decorating~~ (general retail or professional services)
~~22~~7Hotel, Motel, non-transient lodging
~~23 Jewelry~~(general retail)
~~24~~8Music, radio and television sales and renting
~~25~~9Office: Professional or Governmental
~~26~~10 Outdoor Activity Areas (as approved by the Town)
~~27 Printing, Quick Photocopying, Blueprinting~~ (Professional Services)
~~28~~11 Professional Services
~~29~~12 Pavilion
~~30~~13 Restaurant (outdoor patio seating permitted; no drive thru)
~~31 Shoe Repair~~ (professional services)
~~32 Sporting goods~~ (general retail)
~~33~~14 Sporting equipment rental
~~34~~15 Seasonal vegetable/ fruit stand

B.2 Conditional Uses, Accessory uses:

1 Appliance sales and/or service
~~2 Hardware (retail)~~
~~3~~2 Health Spa
~~4~~3 Laundromat~~y~~

~~5~~ ~~Liquor Store~~ (general retail)
~~6~~ ~~Pet shop~~ (general retail)
~~7~~4 Residential Condominiums
~~8~~5 Veterinary hospital, services

B.3 Any use not expressly permitted either by right, or as a conditional or accessory use shall be determined by the Town Code.

C. Lot Frontage:
Minimum: One hundred (100) feet.

D. Lot Coverage for Buildings:
Maximum: Sixty percent (60%) of total lot area.

E. Front Building Setback:
For fifty percent (50%) of the lot frontage, a zero (0) setback is permitted, for the remaining fifty percent (50%) of the lot frontage, a minimum five (5) foot setback is required.

F. Side Building Setback:
At least ten (10) feet from all property lines not abutting the river or street.

G. River Building Setback:
Ten (10) feet measured from the ~~proposed~~ tract~~/lot~~ line along the Blue River, which is twenty five (25) feet from the Top of Bank. See Exhibit A: Silverthorne Town Center Subdivision Plat~~Proposed Tract Definition, attached.~~

G.1 Parking Setbacks:
Parking shall be setback a minimum of ten (10) feet from the front property line and twenty-five (25) feet from the upper bank of the river. There shall be no setback required from side property lines or where common access drives traverse different lots/tracts within the Town Center.

H. Building Height shall be as stated and described in the Design District Standards and Guidelines.
~~Building height varies according to the following:~~
~~1 The maximum building height is twenty-five (25) feet within the first twenty (20) feet of the property measured from the front property line;~~
~~2 All other areas, the maximum building height is thirty-five (35) feet.~~

I. Parking:
Site development must comply with the off-street parking requirements of the Town. For purposes of calculating the number of required parking spaces, the following components are not included in the required calculations: outdoor areas and all building common circulation areas (all non-occupied areas).

TOWN OF SILVERTHORNE
PUD Development Guide
Town Center I and II~~Planning Area I and Planning Area II~~
(2016 Major PUD Amendment ~~Approved by Town Council: September 12, 2007~~)

J. 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 principal building entrance~~side of the site development facing away from the river~~, through or around buildings, to the riverfront pathway. The extent of the pathway shall be as determined by the Town of Silverthorne.

K. Dwelling Unit Density:
The maximum number of residential dwelling units permitted per acre of land is twenty-five (25).

L. Path Connections:
All ~~site~~ development adjacent to the Blue River shall be required to provide a pedestrian path easement. Building shall be setback ~~to provide a total of~~ twenty five (25) feet ~~of open space~~ from the top of the bank of the Blue River. The developer shall construct the pedestrian path according to the Town Parks, Trails, and Open Space Master Plan and in conformance with Section 4-5-16. The Developer shall provide any path connections that are necessary to existing sidewalks along the Blue River Parkway (Highway 9) as determined by the Town of Silverthorne. ~~The Developer and the Town of Silverthorne shall determine through an on-site field visit the exact location of the pathway along the Blue River to determine its best location considering existing trees, building placement, pedestrian amenities and interface and other similar influences.~~

M. Architectur~~al Quality~~ and Building Design - Buildings shall conform to the Town Core Design District Standards and Guidelines
~~All structures shall have "four-sided" architecture; all sides must have similar architectural details.~~

~~N. Street Frontage Architecture~~
~~Commercial buildings shall have an at grade entrance and display windows facing the street. Commercial building entrances may face parking areas.~~

~~O. Building Mass and Scale~~
~~Building massing shall be suitable and relative to both lot size and setbacks. Building facades greater than thirty (30) feet in length shall incorporate projections or recesses having a minimum variation of at least three (3) feet and extending at least twenty percent (20%) of the length of the facade. No uninterrupted length of a facade shall exceed thirty (30) feet.~~

N~~P~~ Entrances:
Buildings located adjacent to the Blue River shall, to the extent practical or reasonable, provide "double-sided" entrances, or orientation both to the river and the street.

~~Q. Screening~~
~~Roof top mechanical equipment and service areas shall be adequately screened from public view. Screening shall effectively mitigate negative visual and acoustic impacts of commercial uses~~

~~and shall be integrated into each project's overall site design. Items to be screened include but are not limited to: loading docks, truck parking, utility meters, HVAC equipment on both the roof and on the ground and trash collection facilities.~~

~~R Concept of Architecture~~
~~In keeping with the Town of Silverthorne's rural mountain character and the Blue River Overlay Zone District the architectural character of the site will be modeled after the lodge style. Materials incorporated in the design will be those similar to the materials used in the Town Pavilion such as heavy timbers, stone, metal roofing and asphalt shingle roofing. Building massing will be defined by gabled roofs, towers, covered walks and dormers. Mechanical facilities, loading docks, trash receptacles and outdoor storage will be screened with walls and parapets integrated into the building.~~

O~~S~~ Access, Parking, Utility, and Snow Storage – The Access, Parking, Utility, and Snow Stack Agreement allows for the shared use of vehicular and pedestrian access, parking areas, utilities, and snow storage on the two Tracts of the Silverthorne Town Center Subdivision. A copy of the Agreement is available on file at the Community Development Department.
~~Snow Storage Requirements~~
~~Snow storage requirements shall be met with a shared snow storage agreement between Tract A and Tract B, Town Center Subdivision (see attached agreement).~~

NOTE: ITEMS M THOUGH R ARE ALREADY COVERED IN THE TOWN CORE DISTRICT DESIGN STANDARDS AND GUIDELINES. THEY ARE NO LONGER NEEDED AS PART OF THE TOWN CENTER PUD.

January 26, 2016

I have been notified of the proposed Major PUD Amendment to the Silverthorne Town Center PUD. Town of Silverthorne Staff has provided a copy of the proposed changes to the PUD, and discussed the changes with me. I do not have any objections to the proposed PUD Amendment.

Sincerely,

Tom Ethington
NRC Silverthorne 1, LLC
Manager/Member
(303) 962-9538 - Office
(720) 232-9530 - Cell

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Town of Silverthorne
Council Agenda Memorandum

TO: **Mayor and Town Council**
THRU: **Donna Braun, Administrative Services Director**
FROM: **Kathy Marshall, Revenue Administrator**
DATE: **February 19, 2016 for meeting of February 24, 2016**
SUBJECT: **December 2015 Sales Tax Review**

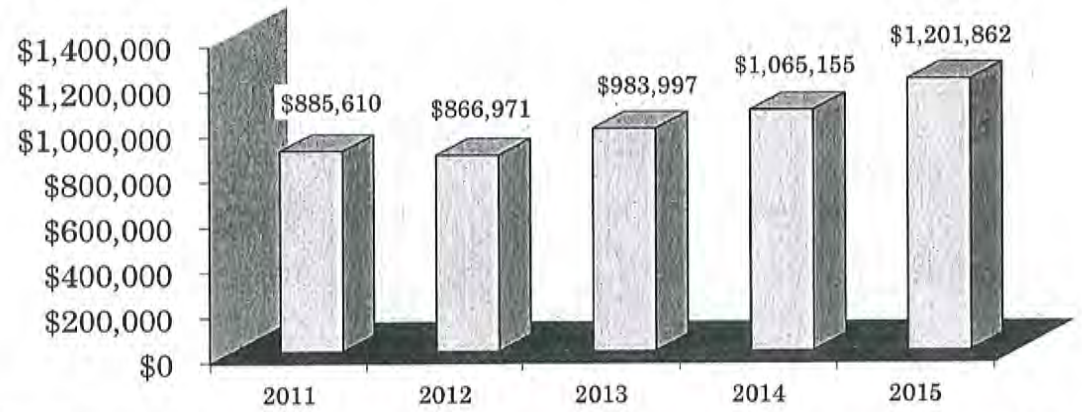
SUMMARY:
The following reports summarize December sales taxes collected in January. The State remitted the Town's 2% county taxes from December sales on February 8th, 2016.

MANAGER'S COMMENTS:

SILVERTHORNE SALES TAX BY MONTH
FOR DECEMBER 2015 SALES

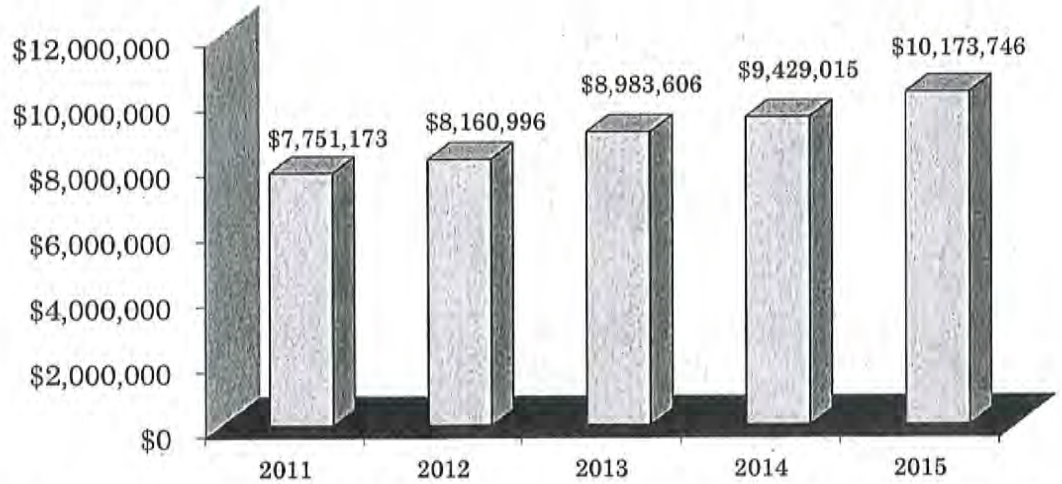
CHART A:	2011	10-11	2012	11-12	2013	12-13	2014	13-14	2015	14-15
MONTH		% CHANGE		% CHANGE		% CHANGE		% CHANGE		% CHANGE
JAN	573,681	-0.27%	613,612	6.96%	705,712	15.01%	691,694	-1.99%	765,758	10.71%
FEB	596,415	0.61%	595,268	-0.19%	639,591	7.45%	682,500	6.71%	713,637	4.56%
MARCH	756,618	-0.13%	718,051	-5.10%	830,399	15.65%	879,003	5.85%	960,756	9.30%
APRIL	478,163	-4.42%	631,867	32.14%	591,855	-6.33%	606,570	2.49%	654,752	7.94%
MAY	459,924	5.72%	479,708	4.30%	572,548	19.35%	619,820	8.26%	630,889	1.79%
JUNE	704,357	11.09%	695,673	-1.23%	822,224	18.19%	869,150	5.71%	934,593	7.53%
JULY	744,166	3.10%	774,222	4.04%	866,950	11.98%	890,855	2.76%	957,634	7.50%
AUG	709,335	5.55%	773,019	8.98%	827,646	7.07%	893,121	7.91%	932,217	4.38%
SEPT	688,135	7.78%	782,144	13.66%	796,857	1.88%	836,747	5.01%	935,275	11.78%
OCT	519,798	1.76%	595,102	14.49%	644,447	8.29%	680,653	5.62%	725,760	6.63%
NOV	634,971	7.48%	635,360	0.06%	701,380	10.39%	713,747	1.76%	760,614	6.57%
DEC	885,610	1.35%	866,971	-2.10%	983,997	13.50%	1,065,155	8.25%	1,201,862	12.83%
YTD TTL:	7,751,173		8,160,996		8,983,606		9,429,015		10,173,746	
%CHANGE FROM YEAR TO YEAR:		3.31%		5.29%		10.08%		4.96%		7.90%

EXHIBIT 1A: SALES TAXES COLLECTED DECEMBER



%CHANGE FROM PRIOR MONTH	2011	2012	2013	2014	2015
	1.35%	-2.10%	13.50%	8.25%	12.83%

EXHIBIT 1B: YTD SALES TAX COLLECTIONS AS OF DECEMBER 2011-2015



%CHANGE FROM PRIOR YEAR	2011	2012	2013	2014	2015
	3.31%	5.29%	10.08%	4.96%	7.90%

Exhibit IA & Exhibit IB show the Town of Silverthorne's collections by month and year-to-date (YTD) for the years 2011-2015, with the following results:

December 2015's sales tax collections increased by $136,707 or 12.83% over 2014.
2015 YTD collections increased $744,731 or 7.90% over 2014 collections.

SALES TAX COLLECTIONS: ACTUAL VS BUDGET 2015 YTD

EXHIBIT III-ACTUAL VS. BUDGET TABLE

SALES MONTH	2015 BUDGET BY MONTH	2015 ACTUAL BY MONTH	2015 BUDGET YTD	2015 ACTUAL YTD	ACTUAL AS A % OF 2015 BUDGET YTD
JAN	$715,396	$765,758	$715,396	$765,758	107.04%
FEB	$714,364	$713,637	$1,429,760	$1,479,394	103.47%
MAR	$926,909	$960,756	$2,356,669	$2,440,150	103.54%
APR	$636,585	$654,752	$2,993,254	$3,094,902	103.40%
MAY	$587,191	$630,889	$3,580,445	$3,725,791	104.06%
JUNE	$831,357	$934,593	$4,411,802	$4,660,385	105.63%
JULY	$909,708	$957,634	$5,321,510	$5,618,018	105.57%
AUG	$871,719	$932,217	$6,193,229	$6,550,235	105.76%
SEPT	$861,679	$935,275	$7,054,908	$7,485,509	106.10%
OCT	$678,246	$725,760	$7,733,154	$8,211,269	106.18%
NOV	$735,026	$760,614	$8,468,180	$8,971,884	105.95%
DEC	$1,061,630	$1,201,862	$9,529,810	$10,173,746	106.76%

- **The budget numbers are based on a 1.07% increase from 2014 sales tax revenues.**

LODGING TAX COLLECTIONS: 2012-2015 COMPARISONS

EXHIBIT IV-LODGING TAX TABLE

LODGING TAXES	2012 Amount Collected	2011/2012 % Change	2013 Amount Collected	2012/2013 % Change	2014 Amount Collected	2013/2014 % Change	2015 Amount Collected	2014/2015 $ Change	2014/2015 % Change
Jan	12,279	-15.1%	14,022	14.2%	17,109	22.0%	20,089	2,980	17.4%
Feb	13,674	-1.2%	14,652	7.2%	17,751	21.2%	20,859	3,107	17.5%
Mar	21,942	11.7%	23,772	8.3%	28,315	19.1%	31,748	3,433	12.1%
Apr	5,119	-24.4%	6,758	32.0%	7,504	11.0%	8,628	1,125	15.0%
May	5,217	12.2%	4,915	-5.8%	5,737	16.7%	5,790	53	0.9%
June	9,190	6.5%	9,524	3.6%	9,792	2.8%	12,041	2,248	23.0%
July	11,717	-1.9%	12,655	8.0%	14,841	17.3%	18,070	3,229	21.8%
Aug	10,979	-6.8%	12,251	11.6%	13,611	11.1%	14,213	601	4.4%
Sept	9,674	1.9%	10,613	9.7%	11,651	9.8%	12,943	1,292	11.1%
Oct	5,855	0.8%	6,134	4.8%	6,928	13.0%	7,630	702	10.1%
Nov	5,950	-7.1%	6,841	15.0%	6,918	1.1%	6,400	(518)	-7.5%
Dec	15,260	-0.8%	19,283	26.4%	20,436	6.0%	29,310	8,874	43.4%
TOTAL	126,856	-1.5%	141,419	11.5%	160,594	13.6%	187,720	27,127	16.9%

Please note: Lodging taxes are split as follows:
- **85% Trails, Parks & Open Space**
- **15% Marketing**

EXCISE TAX COLLECTIONS: 2012-2015 COMPARISONS

EXHIBIT V-EXCISE TAX TABLE

EXCISE TAXES	2012 Amount Collected	2011/2012 % Change	2013 Amount Collected	2012/2013 % Change	2014 Amount Collected	2013/2014 % Change	2015 Amount Collected	2014/2015 $ Change	2014/2015 % Change	2015 Total Sq Footage	2014 New Res Permits	2015 New Res Permits
Jan	7,652		0	-100.0%	15,944		6,920	(9,024)	-56.6%	3,460	3	1
Feb	13,498		10,824	-19.8%	6,514	-39.8%	11,372	4,858	74.6%	5,686	1	2
Mar	0		209,452		0	-100.0%	26,374	26,374		13,187	0	4
Apr	17,846	18.3%	20,856	16.9%	0	-100.0%	34,116	34,116		17,058	0	6
May	43,148	109.1%	42,286	-2.0%	38,256	-9.5%	21,232	(17,024)	-44.5%	10,616	5	2
June	3,566	-90.1%	18,840	428.3%	8,880	-52.9%	28,290	19,410	218.6%	14,145	1	3
July	7,580	-4.2%	32,024	322.5%	39,868	24.5%	61,442	21,574	54.1%	30,721	6	7
Aug	18,628		16,056	-13.8%	17,974	11.9%	54,962	36,988	205.8%	27,481	2	6
Sept	0		22,836		37,890	65.9%	33,968	(3,922)	-10.4%	16,984	4	4
Oct	6,890	-47.5%	12,412	80.1%	30,636	146.8%	26,912	(3,724)	-12.2%	13,456	5	3
Nov	0	-100.0%	10,896		6,668	-38.8%	37,426	30,758	461.3%	18,713	1	5
Dec	10,272	54.1%	12,854	25.1%	28,702	123.3%	7,424	(21,278)	-74.1%	3,712	5	1
TOTAL	129,080	21.8%	409,336	217.1%	231,332	-43.5%	350,438	140,384	60.7%	175,219	33	44

SALES TAX BY CATEGORY

EXHIBIT IIA: DECEMBER SALES TAX BY CATEGORY				
Category	2014	2015	$Inc/(Dec)	% Inc/(Dec)
Auto	$66,022	$83,423	$17,401	26.36%
Bldg Retail	$168,894	$262,081	$93,187	55.17%
Consumer Ret	$313,735	$318,074	$4,339	1.38%
Outlets	$297,034	$269,197	($27,837)	-9.37%
Food/Liq	$127,886	$147,249	$19,363	15.14%
Lodge	$40,444	$56,254	$15,810	39.09%
Serv	$51,140	$65,584	$14,444	28.24%
TOTAL	$1,065,155	$1,201,862	$136,707	12.83%

DECEMBER 2015 MTD SALES TAX BY CATEGORY

The Outlets category decreased $27,837 or minus 9.37% when compared with December 2014;
YTD is down $98,233 or minus 3.76%;
The results by Phase are as follows:

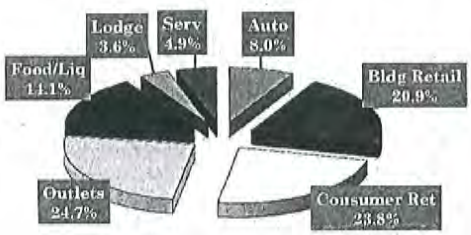
- Phase I is down $3,762 or minus 6.90%. YTD is down $51,747 or minus 5.66%.
- Phase II is down $13,507 or minus 10.53%. YTD is up $1,356 or 0.11%.
- Phase III is down $10,568 or minus 21.05%. YTD is down $47,842 or minus 9.92%.

The "Sales Tax by Category" Exhibits IIA & IIB compare the December sales taxes collected by Outlets, Building Retail, Consumer Retail, Food/Liquor, Lodging, Automotive, and Services with the following results:

- The Consumer Retail category contributes the highest December collections, or 26.5% and the 2nd highest YTD collections, 23.8%.
- The Outlets category, December's 2nd largest sales tax category, contributed 22.4%; YTD 24.7%.

EXHIBIT IIB: DECEMBER YTD SALES TAX				
Category	2014	2015	$Inc/(Dec)	% Inc/(Dec)
Auto	$756,682	$813,056	$56,374	7.45%
Bldg Retail	$1,736,168	$2,126,152	$389,984	22.46%
Consumer Ret	$2,235,943	$2,418,562	$182,619	8.17%
Outlets	$2,613,263	$2,515,030	($98,233)	-3.76%
Food/Liq	$1,318,149	$1,435,827	$117,678	8.93%
Lodge	$318,221	$369,432	$51,212	16.09%
Serv	$450,590	$495,687	$45,097	10.01%
TOTAL	$9,429,015	$10,173,746	$744,731	7.90%

DECEMBER 2015 YTD SALES TAX BY CATEGORY



The tables to the left of the "Sales Tax by Category" exhibits show the industry comparisons by month and YTD.

- The Building Retail category had the highest December dollar increase, $93,187 or 55.17%; YTD up $389,984 or 22.46%.
- The Food/Liquor category had the 2nd highest December dollar increase, $19,363 or 15.14%; YTD up $117,678 or 8.93%.
- The Consumer Retail category was up 4,339 or 1.38%; YTD up $182,619 or 8.17%.

Outlets at Silverthorne (OS):

- Phase I aka Red Village:

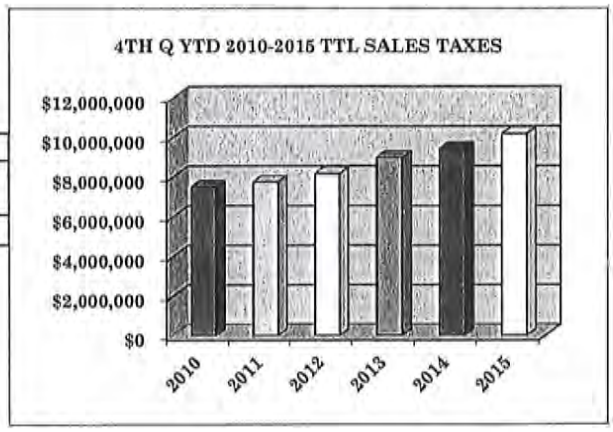
- Phase II aka Blue Village:
  The Beef Jerky Outlet opening has been delayed until the week of February 22nd.

- Phase III aka Green Village:
  Carters will be moving next to OshKosh in April or May. Lake Dillon Theater continues to work on preparing their space so they will be ready for performances that will start March 4th.

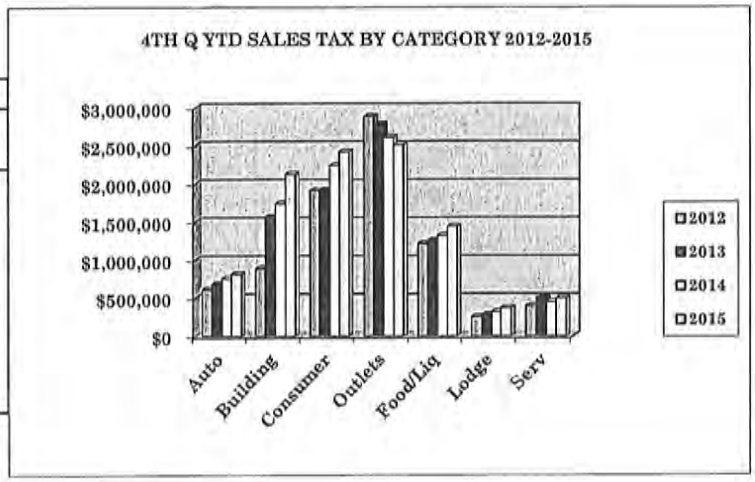
  President's Day Weekend was busy. The Outlets are missing some of the International Visitors due to the strength of the international dollar, but most stores are reporting good traffic and sales. The cold temps did not help sales earlier in February, but the nicer weather later in February has been great for outdoor shopping. OS still continues to offer their Shuttle Service to the Keystone Symposia Conference Groups in Keystone and Breckenridge. Fresh Tracks is offering a Shopping Shuttle from Vail this winter and the service has been bringing lots of shoppers from the Vail area. The Shuttle Service is also available to the guests of Hampton Inn & Suites. The Annual Tenant meeting will be held March 2nd. The 2016 Marketing Plan will be highlighted.

4TH QUARTER YTD TOTAL SALES TAXES AND SALES TAXES BY CATEGORY

4TH Q YTD 2010-2015 TOTAL SALES TAXES					
2010	2011	2012	2013	2014	2015
$7,502,589	$7,751,173	$8,160,996	$8,983,606	$9,429,015	$10,173,746



4TH Q YTD SALES TAX BY CATEGORY 2012-2015				
Category	2012	2013	2014	2015
Auto	$613,842	$684,956	$756,682	$813,056
Building	$887,482	$1,568,468	$1,736,168	$2,126,152
Consumer	$1,911,771	$1,918,628	$2,235,943	$2,418,562
Outlets	$2,883,683	$2,782,393	$2,613,263	$2,515,030
Food/Liq	$1,214,509	$1,255,380	$1,318,149	$1,435,827
Lodge	$253,433	$277,776	$318,221	$369,432
Serv	$396,277	$496,005	$450,590	$495,687
TOTAL	$8,160,996	$8,983,606	$9,429,015	$10,173,746



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TOWN OF SILVERTHORNE
PLANNING COMMISSION MEETING MINUTES
FEBRUARY 16, 2016 – 6:00 P.M.

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1. CALL TO ORDER – The meeting was called to order at 6:00 p.m., February 16, 2016, 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, Robert Kieber, Donna Pacetti, and Tanya Shattuck. Susan Byers and Brian Wray were absent. Staff attending tonight's meeting included: Matt Gennett, Planning Manager, Lina Lesmes, Senior Planner and Melody Hillis, Planning Commission Secretary.

3. CONSENT CALENDAR – Tanya Shattuck made a motion to approve the February 16, 2016, Planning Commission minutes. Donna Pacetti seconded. Commissioner Kieber asked if he should abstain from voting for the approval of the minutes. Commissioner Kieber stated that he had read the packet and the minutes, and had spoken with Commissioner Gloudemans about the meeting. Matt Gennett stated that if Commissioner Kieber felt comfortable with voting, it should be fine. The motion was approved by a vote of four to zero (4-0). Susan Byers and Brian Wray were absent.

4. CITIZEN'S COMMENTS:
None.

5. PUBLIC HEARING:
A. Ordinance No. 2016-02 – An Ordinance Rezoning Certain Real Property from C-1, Light Commercial Zone District, and C-2, Heavy Commercial Zone District, to TC, Town Core District.
Lina Lesmes, Senior Planner, presented the project. The Applicant, the Town of Silverthorne is proposing to rezone certain properties to the Town Core District.

COMMISSIONER QUESTIONS:

Jenny Gloudemans - What was the "push back" that was referred to?

Lina Lesmes - There was a request from the owners of Hudson Auto to be excluded at this time. Also, the businesses that are in the C-2 zone district, in the fringe areas were concerned about becoming non-conforming and how their properties would be restricted. The businesses such as the towing business, Pioneer Materials, those business won't be changing any time soon. The areas show in blue is considered to be high priority. And the Town definitely wants those included in the Town Core. The properties outside of the blue map, the Town may want to rezone Phase II as the Town Core evolves. Regarding the Hudson property, staying as C-1 for now, and Staff will get them as close as possible to the Town Core zoning in the future. Staff didn't want to stop the rezoning process to try to figure out those details in particular.

Jenny Gloudemans - The C-2 properties were going to be grandfathered in as long as no changes were made. Was that the issue?

Lina Lesmes -	That was an issue. There was also a concern that they were part of the fringe of the core district. Didn't feel that they should be involved at this point, should be part of this process once it gets going and they can be included at a later date.
Jenny Gloudemans -	Staff doesn't see that as an issue, that it will be harder to make them come on board if they are not already included?
Lina Lesmes -	Is it our preference? No. But, with the properties being zoned C-2 on Brian Avenue, we see those developing at a later date, putting pressure on those properties now is not as high of a priority as the blocks that are included currently between Highway 9 and Adams Avenue.
Donna Pacetti -	Requested more explanation about the Hudson properties and what is going on there?
Lina Lesmes -	The owner, Lynn Hudson requested to be excluded from this zoning. She wants to create a new zoning designation for her properties. But creating that for her was going to take longer than adopting the Town Core Zoning, Staff didn't want to wait for that to be completed before the Town Core District was created, didn't want to lose the momentum that has been established.
Donna Pacetti -	The use for automotive sales is going to be eliminated in the Town Core Zone District
Lina Lesmes -	That's correct. There is still a big list of uses allowed in the Town Core. The ones that are essentially prohibited are anything related to auto sales, auto repair, and equipment rental. Those uses prefer a more suburban form, more auto oriented, not going to mesh with a walkable downtown area.
Donna Pacetti -	How does CarQuest on the corner of 4th and Highway 9, fit in with the proposed zoning?
Lina Lesmes -	CarQuest is on the corner of 6th and Highway 9.
Donna Pacetti -	How do they fit in with the no automotive sales?
Lina Lesmes -	They will be considered legal non-conforming, will be able to stay as long as they want.
Tanya Shattuck -	Understand the Hudson decision. Shouldn't Phase II of the zoning be approved now and shouldn't Brian Avenue be included in the rezoning, what if Hudson Automotive goes up for sale or something?
Lina Lesmes -	Would be preferable, Staff will be reviewing the appropriate zoning designation for those properties. If the property were up for sale Staff could definitely request that it be rezoned to the Town Core Zoning District. Don't know when Phase II will take place, Planning Commission tonight is approving the blue map that outlines the Town Core Zoning District, and nothing more. When the properties on Brian Avenue are rezoned this whole process will occur again.
Tanya Shattuck -	Understand that, but wondering if it will end up hurting the Town by not saying that our goal is to have that whole area and that whole section would be in the Town Core.
Lina Lesmes -	Think that is established, the Town Core Design District is not going away, all those properties will have to abide by that. The Comprehensive Plan is very clear as to what the Town Core means. Those properties on Brian Avenue are continuing to be in conflict with those documents, at least the other properties are being brought more into conformance. Don't think that there needs to be an added condition addressing that.
Tanya Shattuck -	Just hate to see the future and all of the sudden we stopped progress and we stopped the progress t saying "oh, and there's the big picture".

Lina Lesmes -	These are the key pieces and continuing to work on the remaining property owners.
Tanya Shattuck -	So, the Town's goal is to eventually get those properties in the Town Core Zoning District down the road?
Lina Lesmes -	Yes.
Jenny Gloudemans -	As a follow up to that, the rezoning of the Hudson property, in the event that they sell it or something, would there be some sort of verbiage in the PUD so that the Planning Commission would get to see the rezoning of that parcel if that happened?
Lina Lesmes -	Yes. It would go through the process just like what we are doing currently. Right now those properties are going to continue to be zoned C-1 and continue as they exist today. The Town is going to work with them on a future rezoning. Pointed out what properties are going to continue to be zoned as C-2, with the goal being that once it becomes more of a reality, the Town would try to bring them into the Town Core Zone District. That would come before Planning Commission for review.
Robert Kieber -	If something is not worked out with Lynn Hudson that is agreeable. The Town could come back and say were going to go back and bring it into the Town Core Design District.
Lina Lesmes -	Yes.
Robert Kieber -	Started with 47 properties, now have 41 properties, of the 41 what percentage is agreeable to the rezoning?
Lina Lesmes -	Most of the property owners were agreeable, didn't hear a lot of push back. Heard concerns from the owner of 249 Adams Avenue. He wrote Staff a letter of the uses that he wants acknowledged by the Town currently existing on his property so that once it becomes legal non-conforming the Town has it documented that those are uses that can continue to operate as is or switch back and forth. It is a combination auto-rental, auto-repair, auto-body shop. Staff has made that documentation, and seems the owner seems to be okay with that solution.
Robert Kieber -	Is there an estimation or number of these properties that are under a Conditional Use Permits in the Town Core Zone District?
Lina Lesmes -	Don't know the number, can get the information for the Planning Commission. Have about 35 Conditional Use Permits in Town.
Robert Kieber -	Would this change preclude or deny the renewal of any of the Conditional Use Permits existing today?
Lina Lesmes -	No. Don't think there is that many in the Town Core Zone District.
Robert Kieber -	Turner Morris, one on 6th and Adams, which is Kinder Carpet.
Lina Lesmes -	Those are good examples. Kinder Carpet and Turner Morris are both Conditional Use Permits for the use "contractor trades". Contractor trades have been added as a Conditional Use Permit into the Town Core Zone District, nothing will change for those businesses.
Robert Kieber -	The Town's intent is not to put anyone out of business.
Lina Lesmes -	Yes, that is the intent.

OPENED PUBLIC HEARING

PUBLIC COMMENT:
None.

COMMISSIONER COMMENTS:

Tanya Shattuck -	Looks great, see where the vision is going, like it. See where Staff is taking the Hudson property, would have been nice to have that a little more in place beforehand. Supports it.
Jenny Gloudemans -	Feel the same way.
Robert Kieber -	Feels it is a good step. The residents of Silverthorne want to see a town core and redevelopment is going to occur. One of the few towns that has this much land and buildings that can be redeveloped off of Highway 9.

TANYA SHATTUCK MADE A MOTION TO RECOMMEND APPROVAL OF ORDINANCE NO. 2016-02; AN ORDINANCE REZONING CERTAIN REAL PROPERTY FROM C-1, LIGHT COMMERCIAL ZONE DISTRICT, AND C-2, HEAVY COMMERCIAL ZONE DISTRICT TO TC, TOWN CORE ZONE DISTRICT.

JENNY GLOUDEMANS SECONDED. MOTION PASSES BY A VOTE OF FOUR TO ZERO (4-0). SUSAN BYERS AND BRIAN WRAY ABSENT.

B. PUD Major Amendment – Silverthorne Town Center PUD, 354, 358, 400 and 460 Blue River Parkway, Tracts A and B, Silverthorne Town Center Subdivision.
Lina Lesmes, Senior Planner, presented the project. The Applicant, the Town of Silverthorne, is requesting approval of a Major Amendment to the Silverthorne Town Center Planned Unit Development to update the language and modify the list of permitted and conditional uses.

COMMISSIONER QUESTIONS:

Robert Kieber -	Just a housekeeping measure?
Lina Lesmes -	Yes, to bring things up to date.
Donna Pacetti -	What about the setback requirements of zero to five feet, and how it will affect the proposed Theatre?
Lina Lesmes -	Won't be affected, the set back is five feet. A five-foot maximum is what the Town Core Design District allows. That is why the Theatre is pushed up next to the highway. It may look further away because of the width of the Highway 9 right-of-way.
Robert Kieber -	How big is the Town right-of-way from Highway 9?
Matt Gennett -	Actually think that it is 80 feet.
Robert Kieber -	The Theatre is almost on the inside of what used to be the berm.
Lina Lesmes -	Yes, it's very large. I think it may be 120 feet.
Jenny Gloudemans -	Regarding the permitted uses on page 21, what is the difference between apartments, which is a use by right, and residential condominiums which are conditional use or accessory use?
Lina Lesmes -	The difference is that condominiums are sold and owned individually and apartments are owned by the building owner and rented out to individuals.
Jenny Gloudemans -	What is the difference between a day spa and a health spa as uses by right and conditional uses?
Lina Lesmes -	The health spa use was put in to accommodate Snap Fitness, so it is more like a gym.

APPLICANT COMMENTS:
None.

PUBLIC COMMENT:

COMMISSIONER COMMENTS:
None.

JENNY GLOUDEMANS MADE A MOTION TO RECOMMEND APPROVAL OF THE OF THE MAJOR PUD AMENDMET TO THE SILVERTHORNE TOWN CENTER PLANNED UNIT DEVELOPMENT.

DONNA PACETTI SECONDED. MOTION PASSES BY A VOTE OF FOUR TO ZERO (4-0). SUSAN BYERS AND BRIAN WRAY ABSENT.

CLOSED THE PUBLIC HEARING.

6. OTHER ITEMS:

Matt Gennett stated that South Maryland Creek was pulled from tonight's meeting due to the need for the Applicant to get more information that is needed by Staff in order to bring the project forward. Hope to bring it before the Planning Commission on March 1st. Lina Lesmes stated that the Theatre will probably be brought to the March 15th Planning Commission meeting and the March 23rd Town Council meeting.

Planning does have a new application for development, Blue River 50, LLC proposing 50 units along Highway 9, across from Murdoch's.

Joint worksession for Planning Commission with Town Council on March 8th

Angler Mountain Ranch is petitioning for an additional 35 acres to be annexed into the Town located to the Southeast of the current development. Downhill from the Xcel substation. Will be the Cabin style, with a common area, with patio type homes, footprint lots for each one.

Sauce on the Blue's building permit is currently under review by the Summit County Building Department.

Robert Kieber asked about Chick-Fil-A is there still speculation that they will be coming to Town? Matt Gennett stated that there has been a bunch of different speculation on the Old Dillon Inn property and the adjacent parcels.

Lina Lesmes asked if there were any items on the agenda for the joint worksession with the Town Council? Robert Kieber would like the sign code discussed, condemnation of dilapidated and abandoned buildings. Lina Lesmes stated that housing will also be discussed. If there is something that Planning Commission would like to talk about, please let Matt Gennett know.

Jenny Gloudemans asked about the house currently under construction on Rainbow Dr. (901 Rainbow Dr.). It looks like it has two main entrances if not three. Melody Hillis stated that when the owner submitted their building plans, Matt Gennett and I reviewed them. There were several questions raised about what exactly they were planning on building. Melody Hillis contacted the owner and cautioned them, as it looked to be designed as a bed and breakfast, a lodge, or some type of accessory unit, and that wasn't an allowed use in that neighborhood. The owner would have to come into the Town if they were planning on doing anything different other than a single family residence. Jenny Gloudemans stated that there are clearly two separate entrances, with two main doors. Melody Hillis stated that the Town has been keeping an eye on it, and Greg Roy our Code Enforcement person is keeping an eye on it. Matt Gennett stated that planning staff will have to go out and to an inspection in order to issue the CO, and it won't be issued if it doesn't meet the zoning or building standards, the planning check is part of the final inspection to make sure that it is in keeping with the allowed uses in that neighborhood. If they want to do something other than a single family residence a Conditional Use Permit would be required. Certain uses are allowed in a R-2 zone district, which is what that area is zoned. Jenny Gloudemans stated that it is a great improvement over the old gray house that was there previously. Tanya Shattuck stated that she thinks you'll start seeing more scrape offs like that in that area. This is a good stepping stone in the right direction of getting some newer, bigger places in that neighborhood. Matt Gennett correct, and

that is in keeping with the Town Core, brings property values up and gives property owner incentive to rebuild. Melody Hillis stated that the building code doesn't limit a home to just one entrance. There does have to be a main entrance and exit, but there can also be other decorative entrances. What makes it into a two-unit building would be if there was another kitchen area wired for 220 wiring for a stove, or a separate lock off. Staff scrutinized those plans very closely and the building department is aware of the Town's restrictions. When they do out and do inspections and see 220 wiring installed for another kitchen, it is investigated and stopped. Matt Gennett stated that anything with a party wall separating residences is caught during plan review. They can design multiple front entrances, there is no design review board, so that Town can't say that something doesn't look good and that neighborhood doesn't have an active HOA.

Robert Kieber thanked Staff for all of the work on the Town Core Zone District, a lot of work and a lot of hours have gone into this. Secondly, Pond hockey was this past weekend and it was hilarious, there were a bunch of characters. Told that there were 900 participants and they did an excellent job. A little bit of a traffic problem, which I will meet with the Parks Department and stuff about. But, the rest of it was extremely professional. Some of the outfits deserve to be on TV, big cowboy hats and superman capes. Third, have seen a lot of changes in Staff, etc., and the Planning Staff has done a really good job. Tanya Shattuck agrees with that statement. Robert Kieber stated that this is a big change and thinks that it is going to spark some interest, hopefully in some of these spots that are underdeveloped. Think people are holding on until they get the right offer and think that it's getting to the point where there will be some right offers. Matt Gennett stated that is what we hope. Thank you for the compliment, Staff appreciates that.

7. ADJOURNMENT:

TANYA SHATTUCK MADE A MOTION TO ADJOURN AT 6:50 P.M.

JENNY GLOUDEMANS SECONDED.

MOTION PASSES BY A VOTE OF FOUR TO ZERO (4-0). SUSAN BYERS AND BRIAN WRAY WERE ABSENT

Submitted for approval by:

Approved this of 1st day of March, 2016.

Melody Hillis, Planning Commission Secretary

Robert Kieber, Chairman

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