

SILVERTHORNE TOWN COUNCIL
Meeting Minutes
Wednesday, January 27, 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, Public Works Director Bill Linfield, Assistant Town Manager Mark Leidal, Planner I Greg Roy, Senior Planner Lina Lesmes, Town Attorney Kendra Carberry and Town Clerk Michele Miller.

The Pledge of Allegiance was recited by those present.

STAFF COMMENTS:

Miller announced the ballot order of April 5, 2016 Regular Municipal Election: Robert Kieber, Russell Camp, Thomas L. Marmins, JoAnne Nadalin, Brian M. Moriarty and Tanya Shattuck.

COUNCIL COMMENTS:

None.

CITIZEN COMMENTS:

Deborah Hage, Summit County Community Dinner Organizer, thanked Council for the Town's continued support of the Community Dinner, Rotary and Summit County Elks Lodge, at this time there have been 105,000 meals have been served

CONSENT CALENDAR:

CAMP MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE MINUTES FROM JANUARY 13, 2016 AND RESOLUTION 2016-03; A RESOLUTION ESTABLISHING COMPLIANCE WITH IRS REIMBURSEMENT REGULATIONS. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

LIQUOR BOARD:

**Nepal Restaurant – Renewal of Hotel & Restaurant Liquor License
NADALIN MOVED TO APPROVE NEPAL RESTAURANT – RENEWAL OF HOTEL & RESTAURANT LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

PUBLIC HEARINGS:

A. Conditional Use Permit – Horgmo Single Apartment, 960 Mesa Drive, Lot 71, Blue River Mesa Subdivision, Filing 2

Public hearing opened.

Greg Roy, Planner I, presented the applicant's request for a Conditional Use Permit for an existing Single Apartment in the R-2 Residential Zone District. He reviewed his staff memo and requested approval with Planning Commission's recommended conditions.

Council asked staff how the Town monitors owner occupancy, rental agreements and violations. They discussed the conditions of approval.

Roy stated we usually go on good faith that the applicant adheres to the conditions of approval, we don't actively seek out the information until the CUP comes up for renewal or there are complaints.

Ally Resnick, representing the applicant, requested approval.

Council asked Resnick if the applicant agrees to all the conditions of approval.

Resnick stated the owner is agreeable to all the conditions.

Public hearing closed.

CAMP MOVED TO APPROVE THE HORGMO CONDITIONAL USE PERMIT FOR A SINGLE APARTMENT LOCATED AT 960 MESA DRIVE, IN THE R-2 ZONE DISTRICT, WITH THE FOLLOWING PLANNING COMMISSION RECOMMENDED CONDITIONS:

- 1. THE CUP FOR A SINGLE APARTMENT IS BEING ISSUED TO THE APPLICANT AND IS NONTRANSFERABLE. IF THE APPLICANT'S OWNERSHIP OF THE SUBJECT PROPERTY TERMINATES SO WILL THE CUP FOR A SINGLE APARTMENT.**
- 2. THE APPLICANT IS REQUIRED TO MAKE ONE OF THE UNITS HIS PRIMARY RESIDENCE ON A CONTINUOUS BASIS.**
- 3. THE APPLICANT IS REQUIRED TO PERIODICALLY PROVIDE TO STAFF DOCUMENTED PROOF OF RESIDENCY, SUCH AS UTILITY BILLS AND VOTER REGISTRATION, ON A REGULAR BASIS.**
- 4. NEITHER THE SINGLE APARTMENT NOR THE PRIMARY RESIDENCE MAY BE RENTED OR LEASED FOR A TERM OF LESS THAN SIX (6) CONSECUTIVE MONTHS. THE APPLICANT SHALL PROVIDE STAFF WITH THE MOST CURRENT LEASE ON A REGULAR BASIS TO ENSURE COMPLIANCE WITH THIS CONDITION.**
- 5. NO ADDITIONAL RENTING OF INDIVIDUAL ROOMS IS PERMITTED.**
- 6. THE APPLICANT IS REQUIRED TO PAY THE APPROPRIATE SYSTEM DEVELOPMENT FEES TO COVER THE COSTS OF ADDING THE NEW SINGLE APARTMENT TO THE TOWN'S UTILITIES.**
- 7. OFF-STREET PARKING AREAS SHALL NOT BE USED FOR THE PARKING OF TRAILERS, BOATS, DETACHED CAMPERS, INOPERABLE VEHICLES OR OTHER ITEMS THAT WILL RENDER THE AREA UNUSABLE BY RESIDENTS AND GUESTS FOR NORMAL DAILY USE.**

MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

ACTION ITEMS:

A. Site Plan Modification – Breckenridge Commercial Laundry, 330 Warren Avenue/Lot 9, Silverthorne Heights Subdivision

Lina Lesmes, Senior Planner, presented the project to Council, the applicant, Rick Cole, is requesting approval of a Site Plan Modification for the revised building addition, and various site improvements for an existing commercial laundry facility. She reviewed the staff report and requested approval.

Council discussed onsite parking.

Staff reviewed the onsite parking calculations.

Jim Neville, Representing the Applicant, Breckenridge Commercial Laundry, reviewed the history requiring the approval of the additional Site Plan. The Applicant is requesting an expansion in order to accommodate bathrooms and a bigger breakroom. The large garage door is meant to move equipment in and out of the facility. All laundry is brought in the building from the loading dock, not through the garage. They have met all of the parking and landscaping requirements. The entire building is sprinkled. He requested approval.

Council questioned the applicant about number of employees, EQR's, trash dumpster, and parking.

Neville stated Town Staff are great to work with and they follow the Town Code. He asked Council, if in the future, they would consider giving staff the latitude to give approval for something as simple as this request.

RICHARDSON MOVED TO APPROVE THE SITE PLAN MODIFICATION FOR THE BRECKENRIDGE COMMERCIAL LAUNDRY, LOCATED AT 330 WARREN AVENUE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

B. Site Plan Modification – Angry James Brewery, 421 Adams St., Lot 3R, Block H, Silverthorne Colorado Subdivision

Lina Lesmes, Senior Planner, presented the project for applicants, AJ and Darcy Brinckerhoff, they are requesting approval of a Site Plan Modification for a revised floor plan, and building modifications for a new micro-brewery. She reviewed her staff report and requested approval with Planning Commission's recommended conditions.

AJ & Darcy Brinckerhoff addressed Council and stated they were present to answer questions. They requested approval.

Council and applicant discussed the beer garden roof coverage, materials, building accents and the north façade.

CAMP MOVED TO APPROVE OF THE SITE PLAN MODIFICATION FOR THE ANGRY JAMES BREWERY WITH THE FOLLOWING PLANNING COMMISSION RECOMMENDED CONDITIONS:

1. THE APPLICANT WILL BE REQUIRED TO CONTRIBUTE THE PROPORTIONATE SHARE OF THE COST OF CONSTRUCTING THE SIDEWALK AND ON-STREET PARKING, INCLUDING CURB AND GUTTER, DIRECTLY IN FRONT OF THE SUBJECT PROPERTY PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

2. THE NORTH FAÇADE IS REQUIRED TO BE REVISED TO MEET THE REQUIREMENTS OF STANDARD 4.2.5 OF THE TOWN CORE DISTRICT DESIGN STANDARDS AND GUIDELINES.

3. ALL EXTERIOR BUILDING MATERIALS MUST COMPLY WITH THE REQUIREMENTS OF STANDARD 4.3.3 OF THE TOWN CORE DISTRICT DESIGN Standards and Guidelines.

MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

C. 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, 1st Reading

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.

Lynn McMahan, Hudson Auto Source, wants it on record that the changes proposed will inhibit them to maximize the value of their property. She is concerned about how the new zoning it will affect the current land owners. There are several businesses that are concerned by the changes and she asked Council to keep them in mind.

Council comments.

Butler appreciates the dialog with Hudson Auto Source and their contributions to the Town of Silverthorne over the years. He looks forward to working with them and finding a resolution for all. He wants to see the business continue to be successful, as it always has been.

Richardson feels the implementation of these changes is going to be difficult. We will have to be creative with land owners, the Council at that time will have to work towards a uniform downtown area.

Butler stated this is a part of the Comprehensive Plan, it creates the sense of place and identity Silverthorne's citizens want. We are trying to go down the road that has been indicated in surveys.

Sandquist thanked Lesmes for all of her work on this project. We have heard from Silverthorne residents, they want a walkable area for this region. It will be a balancing act with the current and potential businesses.

Long feels we need to start someplace with the walkability citizens are asking for. There have been lot of bad decisions, in the past, regarding Silverthorne's main street. Let's try this plan and see where it takes us.

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 UNANIMOUSLY BY COUNCIL.

DISCUSSION ITEMS:

None.

SANDQUIST MOVED TO GO INTO EXECUTIVE AT 7:06 SESSION PURSUANT TO CHARTER SECTION 4.13(c) AND C.R.S. SECTION 24-6-402(4)(b) TO RECEIVE LEGAL ADVICE.

SHE FURTHER MOVED TO ADJOURN THE MEETING AT THE END OF THE EXECUTIVE SESSION.

EXECUTIVE SESSION:

Executive Session pursuant to Charter Section 4.13(C) and C.R.S. Section 24-6-402(4)(b) to receive legal advice.

INFORMATIONAL:

- A. November 2015 Sales Tax Review
- B. Planning Commission Meeting Minutes, January 19, 2016

EXECUTIVE SESSION CONCLUDED AND MEETING ADJOURNED AT 7:33 P.M.

BRUCE BUTLER, MAYOR

ATTEST

MICHELE MILLER, TOWN CLERK

Town of Silverthorne Town Council Meeting Minutes

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.