

**SILVERTHORNE TOWN COUNCIL MEETING
AGENDA FOR JULY 27, 2016- 6:00 PM**



- 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, July 13, 2016..... 7
 - B. Replat – Angler Mountain Ranch Lakeside Townhomes Filing No. 7 – Second Amendment..... 19
- VII. PUBLIC PRESENTATIONS**
 - A. Summit Community Care Clinic 23
- VIII. ACTION ITEMS**
 - A. Resolution 2016– 22, Acceptance of the Donation of Sawmill Ditch Water Rights 25
 - B. Final Site Plan - Tract S, South Maryland Creek Ranch Filing No. 1 31
 - C. Bakers' Brewery ESTIP Agreement Amendment 47
- IX. DISCUSSION ITEMS**
- X. INFORMATIONAL**
 - A. Silverthorne Arts Board Meeting Minutes, June 9, 2016..... 53
 - B. Planning Commission Meeting Minutes, July 19, 2016..... 55
 - C. May 2016 Sales Tax Review..... 59
- XI. 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:
TOPIC:**

**JULY 26, 2016 – 5:30 P.M.
OSAC OPEN SPACE PRESENTATION &
MARKETING PROGRAM 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.*

AUGUST 9

JOINT MEETING WITH THE BOARD OF
COUNTY COMMISSIONERS

AUGUST 23

JOINT MEETING WITH SILVERTHORNE
PARKS, OPEN SPACE, RECREATION
AND TRAILS COMMITTEE (SPORT) FOR
POST PLAN UPDATE

SEPTEMBER 13

HWY 9 CDOT TOWN CORE & CODE
ENFORCEMENT UPDATES

SEPTEMBER 27

WORKFORCE HOUSING

**FUTURE WORK SESSION DISCUSSION ITEMS:
EMPLOYEE HOUSING**

July 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
3	4	5	6	7	8	9
	Independence Day Holiday/Town Hall & Rec Center Closed	EDAC Planning Commission			Slide & Slip @ Rain- bow Park 1:00 PM Payroll	LDTc Summer Con- cert @ Rainbow Park
10	11	12	13	14	15	16
		Rainbow Park Public Meeting @ Rainbow Park 5-7PM Work Session	Council Meeting			LDTc Summer Con- cert @ Rainbow Park
17	18	19	20	21	22	23
			Council Meeting			LDTc Summer Con- cert @ Rainbow Park
24/31	25	26	27	28	29	30
		Planning Commission	Court	SPORT Meeting	Payroll	LDTc Summer Con- cert @ Rainbow Park
		Work Session	Council Meeting	Rainbow Park Final Public Meeting @ Rainbow Park 5-7PM		

August 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	Registration for Fall Programming Begins @ 12 Noon
	Osprey Day @ North Pond Park Planning Commission	Community Picnic 5:30 -7:30 PM @ Pavilion		Payroll		
7	8	9	10	11	12	13
	Work Session	Council Meeting			Slide & Slip @ Rainbow Park 1:00 PM Doo Wop Denny @ Pavilion	
14	15	16	17	18	19	20
		Planning Commission	Court	SPORT Meeting	Payroll	
21	22	23	24	25	26	27
	First Day of School					
		Pool Maintenance Closure through September 26/Full Facility Closure through September 30 Work Session	Council Meeting			
28	29	30	31			

September 2016

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

October 2016

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

Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager 
FROM: Susan Schulman, Executive Assistant to the Town Manager 
DATE: July 21, 2016 for Meeting of July 27, 2016
SUBJECT: Staff Comments

Attached please find the Staff Comments and Updates for the July 27, 2016 Town Council Agenda and Meeting. This includes:

1. Administrative Services Update
2. Public Safety Update
3. Community Development Update
4. Recreation and Culture Update

ACTION REQUIRED

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

Administrative Services – July 21, 2016

Administration – The planning for both the Community Picnic (August 3rd) as well as the All-Employee BBQ (August 10th) has begun.

Finance – Budget process update: Department managers and directors are meeting to discuss Asset Management Plans, questions regarding the budget submittal process (changed slightly from prior years), changes to service levels and programs, and other items. Department budget requests are due to the Finance Director on August 5th, at which point we will begin evaluating revenues versus expenses and prioritizing requests, needs, and current year unexpected overages (both in revenues and expense).

Employees attended the Active Shooter Response training offered by the PD on July 19th. Although we hope to never have to use what we learned, it is good to have a plan of action in mind.

Staff continues to cross train on critical functions such as payroll processing and Utility billing. The Finance Director will also observe the staff performing tasks in order to understand the challenges and opportunities faced by employees given the numerous new systems which have been implemented in the past two years.

The closing on financing for the Performing Arts Center is expected to take place on August 16th with the interest rate set 3 business days prior based on market conditions.

Human Resources – Currently in the process of performing the market study in conjunction with the budget cycle.

Public Safety – July 20, 2016

Tragedy on North Pond – On the evening of July 17th, a report was received in reference to a person who either rolled or fell off a paddle board in the North Pond. This person never resurfaced and an immediate rescue response was initiated. Unfortunately, these rescue attempts evolved into an extended recovery operation. Concurrently, the Silverthorne Police Department not only assisted in the recovery operation but also initiated an investigation into the circumstances surrounding this incident. During the course of this investigation we learned that this was potentially a suicide involving a local resident. The investigation is still on-going.

While this can only be described as a tragic event, I find that out of every tragedy there are glimmers of hope and moments to be thankful for; the assistance from our Public Works staff who managed to launch a large boat on the pond using a front end loader, the unselfish dedication and commitment from the Summit County Water Rescue Team and the Summit County Search and Rescue Team, and the kindness of our community members who offered support and brought us food.

A special thanks has to be extended to the Summit County Sheriff's Office whose Special Operations Team stayed with us throughout the incident, a service they provided to us at no cost even though the overtime costs to their organization will be significant. There are many others to thank, but as the new Silverthorne Police Chief I can clearly state that I am proud of our team and what they accomplished with minimal or no rest.

The Case of the Creative and Competing Landscaping Crews – During most of the month of July a couple of competing landscape crews have been having what can best be described as some disagreements. The latest one included an allegation of tampering with a rented bobcat. Things got a little heated on July 14th when one landscaping crew (using a piece of heavy equipment) managed to trap another landscaping crew by building a hastily built rock wall. The trapped landscaping crew in return built a ramp so they could extract themselves and their bobcat. This resulted in some back and forth bantering, which can best be described as a profound and interesting use of the Queen's English.

Community Feedback – Numerous citizens stopped by the North Pond and thanked us for our service and dedication. It was heartfelt and appreciated. Sometimes a little thank you goes along way especially when you are exhausted. Another kind note was received from Council Member Jo Anne Nadalin thanking the Silverthorne Police Department. This note will be shared at our next all staff meeting.

Staffing – Officer Jambor (week #5) and Officer Cox (week #8) are still in Field Training. We conducted another hiring interview and we are hoping to extend another job offer soon. One of our previous applicants is now in the background stage of our hiring process. The Human Resource Department and Mountain States Employers Council are still reviewing our proposed Sergeant testing process which we will kick off shortly.

Other Item – As you know, a Request for Proposal (RFP) was released on July 8th requesting a bid for conducting a Law Enforcement Organizational Assessment and Long Range Staffing Needs Analysis. Two organizations submitted questions and clarification in regards to the bid process. I suspect we will have strong interest from several qualified firms.

Community Development Department – July 21, 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. Staff is working on several options for acquiring the necessary easements.

Summit Sky Ranch (aka South Maryland Creek Ranch) – Installation of horizontal infrastructure continues. Single family homes are also under construction.

Lake Dillon Theatre Company (LDTC) – The Silverthorne Performing Arts Center (SPAC) is currently under construction.

Transportation Plan Update – Staff is working on the update to the Town Transportation Plan. Staff will be interviewing consultants that have an excellent working relationship with CDOT Region 3. The traffic consultant and Staff will be discussing the impacts to Highway 9 in the Town Core with representatives from CDOT.

USFS Summit County Connectivity Assessment – Mark Leidal and Susan Lee attended the initial meeting for this Assessment. The intention of this assessment is to create a plan useable by anyone in the County and to create a common vision of wildlife connectivity for the County. This project is being undertaken by the Forest Service and will occur over the next year.

Lake Dillon Fire District (LDFD) – Ryan Hyland and Mark Leidal attended the LDFD Board Meeting to discuss the possibility of a land swap. We currently have a signed MOU with the Fire District to explore the possibility.

Rainbow Park Entry Redesign – Public Meetings have been held as the SPORT Committee works on the plans for the design for the Rainbow Park Entrance.

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):

- Silver Trout – Final Site Plan
- Verizon Cell Tower – Three Peaks – Site Plan Modification
- South Maryland Creek Ranch Tract D – Aspen House – Final Site Plan
- South Maryland Creek Ranch Tract S – Final Site Plan
- McDonalds – Preliminary Site Plan
- South Maryland Creek Ranch Phase II – Final Plat

Recreation and Culture – July 21, 2016

The Town has hosted two of four Sunset at the Summit Concerts in Rainbow Park in partnership with the Lake Dillon Theatre Company. Attendance for the first concert was approximately 800 people and around 650 for the second

concert. Mt. Lyon Café has been on site serving up yummy BBQ and added at the second concert was a snow cone, cotton candy and popcorn vendor. Staff is happy to report that parking and traffic has not been an issue and there have been little to no complaints from community members. One of the only complaints received from the first concert was that the dance floor was too small. Staff doubled the size of the dance floor for the second concert and all appears to be satisfied. Sheryl Renee will take the stage on Saturday, July 23rd and Hot Lunch will close out the series on Saturday, July 30th. Hope to see you all there!

The Art Wall is moving along and should be installed by mid-August. After putting out a call for artists to our community, the Art Board met and selected 21 pieces of art to be displayed on the wall, as well as six children's art work for the Children's Gallery. In addition to the gallery spaces, staff is working with Betty Ashley Public Relations to create Welcoming panels that showcase the Art and Culture efforts taking place in Silverthorne and welcome them to the Wall. There will also be interactive areas that will engage the visitor and provide fun for the entire family. Staff is working with Sign Tech Company to design and produce the vinyl pieces that will then be installed on the wall by the Art Board and Town Staff. Local businesses Sauce on the Blue and Red Buffalo Coffee and Tea have come on board to sponsor the Wall and will have their logos prominently displayed. Thanks to Council Member Derrick Fowler for his work securing these sponsors.

Farmer's Markets continue every Tuesday at the Pavilion, open from 9:00am to 2:00pm. Vendor participation has varied from week to week, and the addition of the Mamma Beans Mountain Munchies lunch vendor has been a real hit, serving up fresh paninis, snacks and more! Other vendors include the Bakers' Brewery, selling fresh baked breads, pastries and baked goods, there is a coffee vendor, an essential oils vendor, jewelry vendors and of course, Miller Farms \$10 Veggie Bags are always a hit! Grab a friend and stop by the Markets, located behind the Pavilion, every Tuesday through September 27th!

Café Concerts continue to be a hit at the Pavilion! June's concert featured "Shaky Hands String Band" and had just over 100 guests in attendance with strong bar sales. Len Rhodes and Leon Littlebird performed a free concert at the Pavilion on Wednesday, July 6th to an excited crowd of about 430 guests. Jeremiah Owens will take the stage on Thursday, July 21st performing classical Flamenco music. Doors open at 5:00pm and the show starts at 5:30pm. Thursday, August 4th will feature Indian Mudra dancing and music, performed on the stage in the main hall of the Pavilion. Grab your friends, bring some snacks, and relax on the patio while enjoying a variety of cultural performances at the Café Concert Series at the Silverthorne Pavilion!

The Silverthorne Pavilion is pleased to host local favorite DooWop Denny and his rockin' oldies dance party this Friday, August 12th. Lifelong entertainer, DooWop Denny, promises "music to bring out the rock & roll kid in you" with songs from the 50s and 60s, island tunes and slow dancing. "Wear your Dancin' sneakers!"

says Denny, as he encourages folks of all ages to feel the foot-stompin' beat at Silverthorne's elegant ballroom. Tickets can be purchased at the front desk of the Recreation Center.

The second Princess of the Beach Youth Volleyball Tournament was held on July 8, with 17 girls ages 12-15 years playing lots of 2v2 volleyball. Volunteer Coach Sean Sprague ran a short clinic reviewing rules and strategies then the players were assigned to the 4 different nets to start the tournament. After the first round, girls either advanced to a higher division or lower division where they continued to play another round, and those who won played a third round. All in all, half of the girls played approximately 11 games and the other half played 6. Everyone received excellent instruction and a beautiful, sunny Colorado day in the sand.

The Silverthorne Recreation Center hosted the second Slide N Slip of the summer on Friday, July 8th at Rainbow Park. The event charges \$1 per person for unlimited slides and all proceeds go to the Youth Scholarship Fund. Staff was able to raise \$161 and provide limitless fun for participants of all ages! Stop by the park on Friday, August 12th for the last Slide N Slip of the Summer!

Five punch passes were donated to Domus Pacis and Immigrant Liberty Awards. The value of each pass is \$60.

Upcoming Pavilion Events

July 21	Yoga Café Concert
July 22	Wedding
July 23	Wedding
July 24	Wedding
July 26	Yoga Farmers Market
July 28	Yoga
July 29	Quinceanera
July 30	Wedding
July 31	Wedding
Aug 1	Pastries and Past
Aug 2	Yoga Farmers Market
Aug 3	Community Picnic
Aug 4	Yoga Café Concert
Aug 5	Wedding
Aug 6	Wedding
Aug 7	Wedding
Aug 8	Wedding

Town of Silverthorne
Council Agenda Memorandum

TO: Town Council
THRU: Ryan Hyland, Town Manager
FROM: Michele Miller, MMC, Town Clerk *mm*
DATE: July 22, 2016
SUBJECT: Town Council Meeting Minutes from July 16, 2016

SUMMARY: Staff asks the Town Council to approve the Town Council Meeting minutes from July 16, 2016:

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

PROPOSED MOTION: Included in the Consent Calendar motion.

ATTACHMENTS:
Meeting Minutes

MANAGERS COMMENTS:

SILVERTHORNE TOWN COUNCIL
Meeting Minutes
Wednesday, July 13, 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, Bob Kieber, JoAnne Nadalin and Tanya Shattuck. Staff members present were, Town Manager Ryan Hyland, Chief of Police John Minor, Recreation Director Joanne Cook, Public Works Director Bill Linfield, Finance Director Laura Kennedy, Assistant Town Manager Mark Leidal, Utilities Manager Zach Margolis, Town Engineer Dan Gietzen, Aquatics Coordinator Paul Kulik, Planning Manager Matt Gennett, Town Attorney Matt Mire and Town Clerk Michele Miller.

The Pledge of Allegiance was recited by those present.

Council reviewed and accepted the amended agenda noting the order and additions to Action Items.

STAFF COMMENTS:

Cook updated Council on the Sunset at the Summit Concert in Rainbow Park's success.

COUNCIL COMMENTS:

Butler commented on the success of the Summer Concert Series, at Rainbow Park. Long thanked Chief Minor and all the PD for their all of their service to the community.

CITIZEN COMMENTS:

None.

CONSENT CALENDAR:

KIEBER MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE MINUTES FROM JUNE 22, 2016, APPOINTMENT OF PLANNING COMMISSIONERS, REPLAT OF THE CONDOMINIUM MAP FOR BUILDINGS A AND B OF THE BIGHORN CENTER AND REPLAT – ANGLER MOUNTAIN RANCH LAKESIDE TOWNHOMES, FILING NO 8 – SECOND AMENDMENT. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

LIQUOR BOARD:

A. Mountain Interests, Inc. dba Sunshine Café – Renewal of Hotel Restaurant Liquor License

Mike Spry, Owner requested approval of the renewal. Council praised the larger, updated Sunshine Café.

LONG MOVED TO APPROVE MOUNTAIN INTERESTS, INC. DBA SUNSHINE CAFE – RENEWAL OF HOTEL RESTAURANT LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

B. Local Liquors, LLC – Modification of Premise

Chris Carren, owner, reviewed SB16-197 and the opportunity it presents to Liquor Stores with its adoption. Liquor Stores are now able to sell a percentage of soft goods. She requested approval for the Modification of Premise.

LONG MOVED TO APPROVE LOCALS LIQUORS LLC DBA LOCALS LIQUORS–MODIFICATION OF LICENSED PREMISE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

PUBLIC HEARINGS:

A. Ordinance 2016 – 06; an Ordinance Authorizing the Financing for the Purpose of the Construction of the Silverthorne Performing Arts Center – 2nd Reading

Laura Kennedy, Finance Director, presented Ordinance 2016-06 to Council. She reviewed her staff memo and requested approval. The ordinance authorizes the execution of a site lease between the Town and a financial institution.

Nadalín asked about the difference in terms for the financing and the lease. Do we have a prepayment option?

Kennedy stated yes there is a provision for prepayment.

Public hearing opened, no comment, public hearing closed.

Long thanked everyone for the attention to detail on the document.

NADALIN MOVED TO APPROVE ORDINANCE 2016-06, ON SECOND READING AND FINAL READING, AN ORDINANCE AUTHORIZING THE FINANCING FOR THE PURPOSE OF THE CONSTRUCTION OF THE PERFORMING ARTS CENTER. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

ACTION ITEMS:

A. Tract D, South Maryland Creek Ranch (SMCR)-Filing No. 1–Final Site Plan

Matt Gennett, Planning Manager presented the project. The Applicant, Tom Everist, South Maryland Creek Ranch, LLC, is requesting Final Site Plan approval for an 8,268 square foot private amenities center, named the ‘Aspen House’, on Tract D.

Joanna Hopkins, South Maryland Creek Ranch, reviewed the application site amenities and requested approval.

Council asked about Aspen House capacity and their trail system in the winter.

Mayor Butler asked for any public comments, no comments received.

CAMP MOVED TO APPROVE THE FINAL SITE PLAN FOR TRACT D, SOUTH MARYLAND CREEK RANCH – FILING NO. 1. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

B. Resolution 2016-20, a Resolution awarding the Pool Equipment Replacement Project to Aquatics Chemical Solutions

Paul Kulik, Aquatics Coordinator, reviewed the staff report and bid process for replacing the pump room equipment. Staff recommends Aquatic Chemical Solutions, upgrade to the pool area through circulation, chemical control and filtration. The alternative bid allows the Town to add ultraviolet sanitation to all of the pools, which will eliminate pool smell and lower chemical additions to the pool. Kulik recommended approval.

Council and staff discussed the warranty, reputation, and budget overage.

July 16, 2016

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CAMP MOVED TO APPROVE RESOLUTION 2016-20, A RESOLUTION AUTHORIZING THE TOWN TO CONTRACT WITH AQUATIC CHEMICAL SOLUTIONS FOR THE POOL PUMP ROOM EQUIPMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$419,250. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

C. Blue Shores, LLC (Silver Trout Estates), Preliminary Site Plan

Matt Mire, Town Attorney, stated he has been made aware that at least four members of Council, Shattuck, Long, Camp, and Kieber, have had some prior involvement with the applicant and this application, including previously voting during service on the Planning Commission. As such, he asked a few questions with regard to that Planning Commission experience.

1. Did you consider an application identical or similar to this during your tenure on the Planning Commission?
Camp, Shattuck, Kieber, and Long replied yes.
2. Did you participate in public meetings and at least one hearing in particular on October 15, 2013 with regard to a Minor Subdivision, Final Site Plan and Disturbance Permit for Lot 5, Ponds of Blue River Subdivision?
Camp, Shattuck, Kieber, and Long replied yes.
3. Since that time have you have been elected to the Silverthorne Town Council?
Camp, Shattuck, Kieber, and Long replied yes.
4. As part of your election to the Council you took an oath to uphold the laws of the Town of Silverthorne and The State of Colorado?
Camp, Shattuck, Kieber, and Long replied yes.
5. Does your prior history with this applicant or this type of application, or your prior service on the Planning Commission affect in any way your ability to uphold your oath of office or to consider this application in an unbiased, impartial manner, and without prejudice or prejudgment of any kind?
Camp, Shattuck, Kieber, and Long replied no.
6. Do you have any financial interest in the outcome of this decision?
Camp, Shattuck, Kieber, and Long replied no

Mire stated that he has also been made aware that Council Member Fowler and Mayor Butler have had some prior involvement with the applicant and this type of application, including previously voting, during their service on Town Council. As such, he asked a few questions with regard to that Town Council experience.

1. Did you consider an application identical or similar to this during your tenure on the Town Council?
Fowler and Butler answered yes.

2. Did you participate in public meetings and at least one hearing in particular on October 23, 2013 with regard to a Minor Subdivision, Final Site Plan and Disturbance Permit for Lot 5, Ponds of Blue River Subdivision?

Fowler and Butler answered yes.

3. Does your prior history with this applicant or this type of application, affect in any way your ability to uphold your oath of office or to consider this application in an unbiased, impartial manner, and without prejudice or prejudgment of any kind?

Fowler and Butler answered no.

4. Do you have any financial interest in the outcome of this decision?

Fowler and Butler answered no.

Mire stated with regard to Councilman Kieber, the Town has received correspondence from an attorney, Steven Letofsky, requesting that Councilman Kieber voluntarily recuse himself, or that the Council vote that he has a conflict of interest thereby disqualifying him from participating.

The basis of the request is Councilman Kieber's participation in the October 15, 2013 Planning Commission meeting, as well as alleged statements he made during his campaign for Town Council.

Mire asked Councilman Kieber again if there is anything that would cause him to have a conflict of interest or prevent him from considering this application in an unbiased, impartial manner, and without prejudice or prejudgment of any kind.

Kieber stated no.

Mire went on to say that despite what Councilmen Kieber says, Mr Letofsky's letter alleges a 'conflict of interest'. The Home Rule Charter, 3.9, Conflict of Interest states, only the Council as a whole can vote on whether a Council member has a conflict under Charter 3.9. The Council determines if there is a substantial personal or financial interest or not. The affected Council member does not vote on the question of whether a conflict exists. A conflict of interest in this context means 'a substantial personal or financial interest, direct or indirect, other than a common public interest'. Council has Mr. Letofsky's letter and has heard from Councilman Kieber. Mr Letofsky's letter will be made part of the record. He requested Council vote on the matter.

NADALIN MOVED TO FIND THAT COUNCIL MEMBER KIEBER DOES NOT HAVE A CONFLICT OF INTEREST IN THIS MATTER AS OUTLINED IN THE HOME RULE CHARTER 3.9. MOTION SECONDED. MOTION PASSED BY COUNCIL. (COUNCILMAN KIEBER ABSTAINED.

Butler wants everyone to be heard tonight; he reviewed the presentation order and requested citizen comments be held to three to five minutes.

Matt Gennett, Planning Manager, presented the applicants request for Preliminary Site Plan for the Blue Shores, LLC (Silver Trout Estates). Lot 5 is intended for a Multi-family residential development with a maximum density of fifty units. The Preliminary Site Plan proposes thirty-one total residential units in fourteen duplex and one triplex residential. He reviewed his staff report and requested approval with the Planning Commission's one condition of approval.

Council questions.

Long asked if Lot 5 was the part of the original Ponds at Blue River development application two decades ago.

Gennett stated yes, for whatever reason it did not develop at the same time.

Fowler asked for clarification, has this land been zoned with this same density for two decades. Is there is anything in the Town Code that prohibits the applicant from clustering the units. He asked about the current undeveloped land, it is under the flood plain now but as proposed it will be above the flood plain?

Gennett stated yes it will be above the flood plain when developed. He stated the zoning has been the same for two decades and it was part of the Ponds at Blue River application years ago. There is nothing in the code to prohibit the cluster of units.

Nadalín asked staff if they are satisfied with that what the applicant is proposing for the wetland mitigation and if it complies with Town Code.

Gennett stated, at this time yes.

Nadalín asked if the development has more than 40% coverage for one acre.

Gennett stated the development covers about 10% of the lot area.

Camp asked if any of the thirty-one units are not within the flood plain.

Gennett stated not currently but as proposed they will be out of the flood plain.

Applicant.

Shervin Rashdi, Managing Partner, reviewed the history of the project. They purchased Lot 5 back in 2004. They have done their due diligence and feel that they have compromised over the years to make this project work. The water sewer infrastructure is already installed across the site in conjunction with Angler Mtn Ranch and with a cost sharing agreement with the Town. They are proposing thirty-one units, the zoning allows sixty percent lot coverage, but they are only utilizing 10.9 percent. He reviewed the history of property elevation. The elevation currently is what is was after the rock quarry was abandoned; they want to restore the property to its original elevation. He reviewed the natural buffers on the property. They have worked with the facts and science of the property. They have worked very hard to lower the impact of this development to its neighbors. This is a great development within high density neighborhoods.

Scott Russell, representing the developer Blue Shores, LLC, reviewed his background in Colorado for the last fifteen years as an appraiser and developer. Development can occur along water. He understands Council's position; you have registered voters and a developer that has zoning rights. They have a professional team present tonight to review the facts of the property. He reviewed maps of Silverthorne's zoning and the Eagles Nest's Master Plan.

Steve Letofsky, applicant's attorney, touched on the legal issues of the application. Town Council is charged with determining if the applicant has met all the legal requirements of the Town. They will present credible evidence that this have met the Town's criteria. Is the Property is legally zoned, is the density proposed what is allowed by Town Code, has the applicant received their CLOMR approved by Army Corp of Engineer. Letofsky reviewed the different type of agreements the applicant has been a party to with AMR and the Town over the years. The professionals have reviewed the application and found credible evidence that they have met all the laws and requirements of the Town Code. Town Staff has reviewed and approved of this plan. This project complies with the Comprehensive Plan. He stated there have been considerable reliance/money, time and effort spent on this project by the applicant. The Standard of review Council tonight is to act in a quasi-judicial manner. The applicant will present credible evidence tonight for approval. He asked Council rely on testimony of professionals and Town Staff. He asked the Council to approve the application.

Russell stated they have tried to be good stewards of the land. The property is in the flood plain because The Everist Co used it as a gravel pit. The applicant will bring the property back to the original elevation by bringing in fill. They are leaving the wetlands alone as much as they can. Lots 30/31 are adjacent to Angler Mountain Ranch (AMR) and not out of character for the area.

Gregg Shanner, Civil Engineer Matrix Design, the CLOMR was prepared by Leslie Hope, Hydra Engineering and Construction. He reviewed the CLOMR and LOMR application and process for approval. When AMR was developed, water and sewer were brought across the applicant's property to provide those services to AMR's homeowners. He reviewed the need for fill on the property. He reviewed the long planned secondary emergency vehicle access to connect to AMR. He reviewed the site's drainage and overflow; they have given a lot of thought to safety and welfare of the residents on the site.

David Johnson, Western Ecological Resources, Wetlands Consultant, stated this is not a pristine site, it has been heavily disturbed, damaged by the pine beetle epidemic, has a road going through it, and is heavily used by the neighbors. He reviewed the present wetland and aquatic areas. With wetlands mitigation, the Army Corp of Engineer desire is to create higher functioning wetlands, put back the ecology that should have been in this area. The applicant has followed all the rules and regulations of the Army Corp of Engineers to create their wetlands and riparian areas.

Fowler asked if the current wetlands were created by the mining company.

Johnson stated no they create themselves over time and opportunity.

Suzanne Allen. Allen-Guerra Design-Build Inc. reviewed the development team's thoughts on architecture for the site. The development is subject to Eagles Nest architectural review conducted by their HOA's Design Review Committee and the applicant will meet their guidelines. She reviewed the materials they plan on using on the site. They are striving for mountain rustic, with mining aesthetics and earth tones.

Jerry Powell, Wildlife Specialties, LLC, reviewed his qualifications. This site's environment has been modified over the years. He reviewed the wildlife habitat loss in the area. Recreation has a negative impact on wildlife. Domestic dogs and cats have a negative impact to wildlife. This is not a viable migration corridor, the habitat is highly fragmented. This site is not critical to the local wildlife. There have been heavy disturbances in the area.

Shattuck asked Powell if he had walked the site.

Powell stated yes many times over the years.

Kieber asked if the area is not developed, then won't the animals come back and remain there.

Powell stated as more and more development happens the number of animals will decrease; there is not enough area to maintain animals.

Nadalin asked Powell if he feels there should be a toad study.

Powell has reviewed the property over the years and does not feel there are any toads in the area.

Russell stated Town Code requires the applicant to post a letter of credit, they have already obtained a loan on the property and they are prepared to move forward with the project.

Dave Namoff, 313 Redhawk Circle, Owner, stated he purchased the property a long time ago, because it is zoned for housing, but then the economy collapsed in 2008. Now they are ready to develop. He requested Council protect his property rights.

Council questions.

Long asked where the building grade will be measured.

Gennett stated it will be measured at current grade.

Nadalin asked about the twenty-five foot wetland set back required by Town Code

Gennett reviewed the twenty five foot set back requirements in the Code.

Public Comment

Peter Wessel, 134 Lariat Loop, supports the Planning Commission's motion for approval, removing of lots 30/31 from the project. The applicant describes the building as large home, its masquerading as a multi-family home. He does not feel that this type of clustering is outlined by Code. He doesn't feel there has been enough done to contact the neighbors.

Janice Barringer, 419 Bald Eagle Rd, she and friends formed Blue River Open Space Task Force. There they presented a PowerPoint presentation in opposition to the development.

Darrel Roepke, 124 Robin Dr., Ponds Board of Directors and a member of Blue River Open Space Task Force, he presented a PowerPoint presentation outlining their concerns and opposition to the project. This project has been submitted several times over the years and they still have basically the same concerns and they have not been sufficiently addressed. He reviewed the frequency and duration of flooding with pictures. He reviewed the best management practices failures in the past. He read the FEMA CLOMAR response. He reviewed the Chapter 3, Article VIII, of the Town Code. He reviewed the Blue River high water periods, wetland setbacks, wetland mitigation, and soil conditions. He requested denial.

George Resseguie, 1770 Red Hawk Rd, President of the Eagles Nest HOA, agrees the owner has a right to develop the land but the seven hundred and fifty homeowners in their organization have rights too. This is the third time this project has been before Town Council, with the same issues. The property is an essential open space connector. He agrees with Roepke's comments. Planning Commission and staff recommend approval of the development with removal of lots 30/31, but he respectfully disagrees, he requested denial.

Steven Garrison, 213 Fly Line Drive, continued the PowerPoint presentation. He referred to the Bald Eagle Federal Law and a Take Permit. He showed where the Bald Eagle perch tree is located on the site, a Federal Permit is needed to construct on this site or it is a violation of Federal Law. He reviewed the old wildlife assessment presented in the application; does not mention the river otters or bald eagles present on the property. Moose are a constant presence on the property. This project should be stopped because of the two threatened or endangered species located on the property.

Roger Kendall, 349 Bald Eagle Road, Blue River Open Space Task Force, reviewed the reasons this project does not make economic sense. He reviewed eleven reasons for denial. He requested the property remain open space and denial of the application.

Gary Horine, 78 Hillside Drive, South Forty HOA Vice President, stated South Forty HOA requests denial of this project. The water flowing through the project is a major concern and there should be a second engineering report generated. He reviewed the properties immediately to the north of the site that are affected during seasonal flooding. If fill is allowed for this development it will affect the Blue River and its flows. The developer needs references before he is allowed to build and develop on a sensitive property like this. This PUD does not meet citizen needs. Is there a way to compensate Mr. Namoff for this property and keep it open space? The Town Council is responsible for the wellbeing of the wildlife and water quality in South Forty.

Sharon Schwartz, 164 Lariat Loop, reviewed the history of property and zoning in Silverthorne. She is concerned about the amount of fill being proposed and its effects on South Forty. She agrees with previously voiced concerns about the river and other comments.

David Servinsky, 30 Stonefly Drive, is concerned about Lots 30/31 and flooding. His reason for moving here is the beauty of the area and how we co-mingle with the wildlife. He questioned the wildlife study included in this application. He hopes the Town takes the time to plan. We need to respect the people that are here and to listen to the wildlife.

Pat Linders, 156 Lariat Loop, does not support the development and especially development of lots 30/31. She agrees with the wildlife concerns of others and their comments.

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Bradley Barte, 229 Flyline Drive, requested that if the project moves forward, a special permit be obtained for construction, due to the destruction of flora and fauna. If construction is properly done, some of it could be saved. He asked if during construction the road could be left as a button hook and then after completion open up the connection. He requested collaboration on the design to minimize the visual impacts to his neighborhood.

Tom Sarafin, 263 Flyline Dr. shared his observation. He feels the amount open space presented has been overstated. There is wildlife living in this area and they will be impacted. He expressed concern about the amount of fill being dumped, its impact on the lake and river and to the trout. The architecture presented is an eyesore.

Marty Kurtic, 141 Flyline Drive, President of Angle Mtn Ranch HOA, they have a petition with seventy-nine signatures requesting denial the proposal. He is concerned about the amount of fill being delivered to the site by truck and the impact to their roads. How will that fill get there? He requested if the development is approved that the applicant posts money for road repair. Town Council is the steward of this Town and responsible for maintaining the quality of life we strive for. He requested denial and keep it open space.

Mary Kay Kelly, 101 Range View Circle, Blue River Run Board of Directors, she wanted to let Council know that not only the immediate subdivisions around this development are concerned about this development. They requested denial. She hopes Council appreciates the value of this beautiful property and location. She requested Council work with Mr. Namoff to compensate him and to keep the property open space.

Krish Rashidi, 33 Hideway Court, understands the emotions in the room but we must believe in the science and engineering presented tonight. They have done everything required by state and local laws to make this project feasible and viable. She respects the right to free speech but these developers have a right to develop this land. Because of the neighborly agreement between AMR and Silver Trout, AMR has been built. She asked Council consider the science and engineering presented tonight to approve the project.

Barrett Edwards, 130 Allegra Lane, is concerned about clearcutting the property. Revegetation of the area is not specific enough for her, what is being done to protect the crown jewel, Blue River. What is being done to make sure the natural beauty is protected? What is being done to permit fishing access along the river? It is Town Council's responsibly to ask harder questions of the applicant.

Richard Strauss, Arvada, feels public rights should be protected as well as private rights. Public hearing closed.

Applicant.

Russell thanked everyone for their comments. He responded to some of the questions presented by those present.

Rashidi reviewed the landscaping impact.

Shanner reviewed the project's fill plan, water quality into the lake, function of the detention pond, flood way and flood plain.

Council comments

Long has been involved in this community a long time, her husband's family is fourth generation here in Summit County. Her family has a lot of experience in land use. She is proud of what has been built here in Silverthorne. She reviewed the original dense zoning for Eagles Nest and the continued down zoning as developments have been built. We embrace people who move here. She has never heard of an Eagle Take Permit. We can't apply an Eagle Take Permit to this development when it hasn't been applied to any other. She agrees with everything Mr. Letofsky said about land rights. She has voted against this project in the past but after reading the staff report and the Planning Commission's recommendation of approval, she has determined that the project has met Town Code. She supports the project.

This is Preliminary Site Plan and lot of things can be addressed by Final Site Plan. We have to respect the public process.

Nadalín stated this land is not open space; it zoned for development. Negotiations for buying the land is not what is before Council tonight. She requested more information from staff regarding otters or any endangered species on the property. Given what has been presented tonight she supports this project moving forward.

Camp stated he agrees with Planning Commission's recommend condition of approval with removal of Lots 30/31. He knows a lot of wildlife will be affected, same as they when his house was built. He has not heard enough to be convinced that the project should not move forward.

Kieber stated staff, Planning Commission and Town Council have a lot of time invested in this project. An applicant has the right to come in and ask but the Council does not have the obligation to say yes. After reading the packet, he feels staff's interpretation of the Comprehensive Plan is subjective. He still has questions about the otter and eagle. Financial issues regarding the project are not his concern. He is looking at the project, does it fit Silverthorne, the neighborhood and follow the Comprehensive Plan.

Shattuck has mixed emotions about this application. She is concerned about wildlife in the area but the owner has the right to develop it. She has questions about the otter and bald eagle but they can be addressed before final. She feels it is a good project.

Fowler stated if AMR or Ponds were held to the same standards voiced tonight, neither would have been built. This is a property rights issue. He supports this project for the second time for all the right reasons.

Butler stated this is the third time he has seen this project. Every time the applicant comes before Council, the project is better. The applicant did a great job presenting tonight. He does feel like it is a lot of fill for the site. The finances of the project are not for Council to consider. It's really important to follow the process. Staff has done a lot of work on this application and he has great confidence in their recommendation. This application has come a long way. He appreciates the public access to the river and trails they are providing. This is not open space, it is owned by someone. He still has concerns but it sounds like it will move forward. He supports Planning Commission's recommended condition of approval. Construction traffic is part of the process.

Nadalín stated she is the newest member to this process and she commends the Town of Silverthorne for being open to comments. She thanked those who attended for their comments.

NADALIN MOVED TO APPROVE THE BLUE SHORES, LLC/SILVER TROUT ESTATES PRELIMINARY SITE PLAN APPLICATION WITH THE PLANNING COMMISSION RECOMMENDED CONDITION.

- 1. UNITS 30/31 SHALL BE REMOVED FROM THE PROPOSED PRELIMINARY SITE PLAN SET PRIOR TO SUBMITTAL OF A FINAL SITE PLAN APPLICATION.**

AND INSTRUCTED THE APPLICANT AND STAFF TO WORK TOGETHER TO SEE IF THERE IS A NEED FOR ANY ADDITIONAL WILDLIFE STUDIES. MOTION SECONDED. MOTION PASSED BY COUNCIL. (KIEBER NAY)

D. Consideration of Ballot Language for Summit Combined Housing Authority November 2016 Referred Measure

Ryan Hyland, Town Manager, presented the Ballot Language for Summit Combined Housing Authority November 2016 Referred Measure. JoAnne Nadalín is the Council's representative on

July 16, 2016

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the Summit Housing Authority and the Housing Authority will be meeting August 27, 2016. He reviewed the numbers regarding the ballot measure with Council.

Council and staff discussed the ballot language.

NADALIN MOVED TO APPROVE THE PLACEMENT OF THE FOLLOWING BALLOT LANGUAGE ON THE NOVEMBER 2016 BALLOT FOR CONSIDERATION BY SUMMIT COUNTY VOTERS: SHALL THE SUMMIT COMBINED HOUSING AUTHORITY’S TAXES BE INCREASED \$6,500,000 ANNUALLY COMMENCING IN 2017, AND BY WHATEVER ADDITIONAL AMOUNTS ARE RAISED ANNUALLY THEREAFTER FOR A PERIOD OF TEN YEARS, FROM A SIX TENTHS OF ONE PERCENT (0.6%) SALES TAX WITHIN SUMMIT COUNTY TO BE USED FOR AFFORDABLE HOUSING PURPOSES TO HELP LOCAL WORKING FAMILIES CONTINUE TO LIVE IN OUR COMMUNITY, INCLUDING BUT NOT LIMITED TO CONSTRUCTING AFFORDABLE WORKFORCE RENTAL AND OWNER-OCCUPIED HOUSING UNITS AND SHALL SUCH REVENUES BE COLLECTED AND SPENT WITHOUT LIMITATION OR CONDITION UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW? MOTION SECONDED. MOTION FAILED. (CAMP AND NADALIN AYE)

E. Resolution 2016-21; a Resolution Amending the Summit Combined Housing Authority Intergovernmental Agreement

Ryan Hyland, Town Manager, reviewed the staff report that outlines the amendment to the Summit Combined Housing Authority Intergovernmental Agreement. Hyland requested approval.

Council discussed the three year funds return policy.

LONG MOVED TO APPROVE RESOLUTION 2016-21, A RESOLUTION APPROVING THE EXECUTION OF A THIRD AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT PROVIDING FOR THE ESTABLISHMENT AND CONTINUATION OF THE SUMMIT COMBINED HOUSING AUTHORITY. MOTION SECONDED. MOTION PASSED BY COUNCIL PRESENT.

DISCUSSION ITEMS:

None.

INFORMATIONAL:

- A. EDAC Meeting Minutes, July 5, 2016
- B. Planning Commission Meeting Minutes, July 5, 2016
- C. SPORT Committee Meeting Minutes, June 16, 2016

NADALIN MOVED TO ADJOURN. MOTION SECONDED. MEETING ADJOURNED AT 10:49 P.M.

BRUCE BUTLER, MAYOR

ATTEST

MICHELE MILLER, TOWN CLERK

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Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager *RH*
Mark Leidal, AICP, Assistant Town Manager *ML*
FROM: Matt Gennett, AICP, Planning Manager *MG*
DATE: July 21, 2016, for the meeting of July 27, 2016
SUBJECT: Replat - Angler Mountain Ranch Lakeside Townhomes, Filing No. 7 –
Second Amendment (Project No. PT2014-21)

SUMMARY: The applicant, Tim Crane of Compass Homes Development, is requesting approval of a Replat for Angler Mountain Ranch (AMR) Lakeside Townhomes, Filing No. 7 – Second Amendment. The proposed Replat is for three duplex structures that are currently under construction on Tract 7A. The Replat will create a total of six (6) duplex units on Tract 7A, and will result in each of the aforementioned buildings having an A and B side subdivided as separate duplex units.

PREVIOUS COUNCIL ACTION: On May 10, 2006, the Town Council approved the Sketch Plan for a Major PUD Amendment and Residential Subdivision for Angler Mountain Ranch which contemplated a total of 241 residential units. Town Council on February 14, 2007, approved the AMR Preliminary Subdivision Plat with conditions. Final PUD zoning on the AMR project was approved by Town Council on May 14, 2007. Final Subdivision approval for Filings 1 and 2 of AMR was approved in May of 2007, and Filings 3 and 4 were approved in June of 2008. On May 13, 2009, the AMR Major PUD Amendment was given Final Plan approval reducing the total density to 232 residential units. Angler Mountain Ranch Lakeside Townhomes, Filing No. 5 was approved by Council on July 10, 2013. The Final Site Plan for AMR Lakeside Townhomes, Filing No. 5 – First Amendment, was approved by Council on August 14, 2013. On April 9, 2014 Council approved the Preliminary Subdivision and Site Plan for AMR Lakeside Townhomes, Filing No. 6. On September 10, 2014, Council approved the Minor Subdivision and Final Site Plan for Tract 6A, AMR Lakeside Townhomes, Filing No. 6. The Final Plat, SIA, and Site Plan for Lakeside Townhomes Filing No. 7, were approved on May 13, 2015. AMR Lakeside Townhomes, Filing No. 7 – First Amendment, was approved on January 13, 2016.

BACKGROUND: As the development of Angler Mountain Ranch Lakeside Townhomes proceeds, the applicant will continue to submit replat applications to subdivide the duplex and triplex structures into individual units for sale as each building is constructed, in keeping with the process followed for previous filings. AMR Lakeside Townhomes will result in a final density of 127 units out of a total of 130 units approved in Planning Area 2 ('PA-2'). The development of AMR Lakeside Townhomes, Filing No. 7 – Second Amendment, is progressing in phases, in keeping with the previous filings of Lakeside Townhomes. AMR Lakeside Townhomes, Filing No. 7 – Second Amendment, subdivides Lots 58, 59, and 60, into separate units as shown on the Replat attached to this memo (Exhibit A).

DISCUSSION: All six of the proposed new units will be accessed directly off of the private access easement named Dragonfly Lane. Building 58 will be subdivided into two duplex units labeled Lot 58A and 58B. Building 59 is to be subdivided into two duplex units Lot 59A and Lot 59B. The final structure being subdivided with this Replat, Lot 60, will result in two duplex units, Lot 60A and 60B. Typical General Common Elements (GCE) and Limited Common Elements

Town of Silverthorne
Council Agenda Memorandum

(LCE) are also being created with the proposed Replat. Staff finds that this Replat application meets the requirements of Town Code Section 4-5-14(3), which regulates the replatting of land.

STAFF RECOMMENDATION: Staff recommends approval of the Replat for Angler Mountain Ranch Lakeside Townhomes, Filing No. 7 – Second Amendment.

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

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

ATTACHMENTS:

Exhibit A: Angler Mountain Ranch Lakeside Townhomes, Filing No. 7 – Second Amendment

MANAGER’S COMMENTS:

ANGLER MOUNTAIN RANCH LAKESIDE TOWNHOMES FILING NO. 7 - SECOND AMENDMENT
A RESUBDIVISION OF TRACT 7A, ANGLER MOUNTAIN RANCH LAKESIDE TOWNHOMES FILING NO. 7 - FIRST AMENDMENT

LOCATED IN THE SOUTH 1/2 OF SECTION 36, T.4S., R.78W., OF THE 6TH P.M.
TOWN OF SILVERTHORNE, SULLIVAN COUNTY, COLORADO
SHEET 1 OF 2

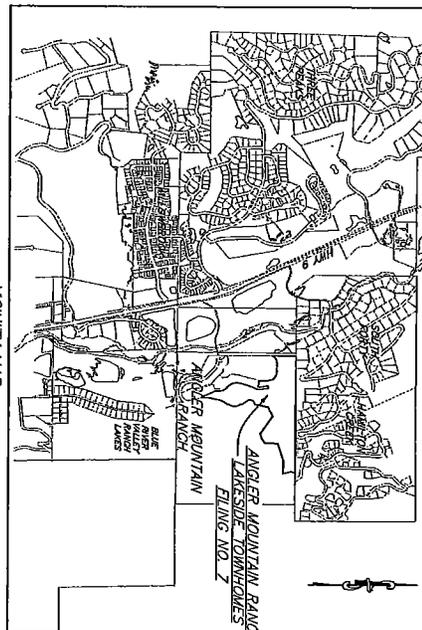
1. ALL RIGHTS, CLAIMS AND INTERESTS IN THE PROPERTY AND IN THE RIGHTS OF THE PROPERTY ARE HEREBY RELEASED TO THE COUNTY OF GARFIELD AND TO THE STATE OF COLORADO BY THE GRANTOR, AND THE GRANTOR AGREES TO WAIVE ALL SUCH RIGHTS, CLAIMS AND INTERESTS IN THE PROPERTY AND IN THE RIGHTS OF THE PROPERTY.

2. THE GRANTOR, BY THESE INSTRUMENTS, INTENDS TO CONVEY TO THE COUNTY OF GARFIELD AND TO THE STATE OF COLORADO ALL SUCH RIGHTS, CLAIMS AND INTERESTS IN THE PROPERTY AND IN THE RIGHTS OF THE PROPERTY AS ARE NOT OTHERWISE CONVEYED BY THESE INSTRUMENTS.

3. THE GRANTOR, BY THESE INSTRUMENTS, INTENDS TO CONVEY TO THE COUNTY OF GARFIELD AND TO THE STATE OF COLORADO ALL SUCH RIGHTS, CLAIMS AND INTERESTS IN THE PROPERTY AND IN THE RIGHTS OF THE PROPERTY AS ARE NOT OTHERWISE CONVEYED BY THESE INSTRUMENTS.

4. THE GRANTOR, BY THESE INSTRUMENTS, INTENDS TO CONVEY TO THE COUNTY OF GARFIELD AND TO THE STATE OF COLORADO ALL SUCH RIGHTS, CLAIMS AND INTERESTS IN THE PROPERTY AND IN THE RIGHTS OF THE PROPERTY AS ARE NOT OTHERWISE CONVEYED BY THESE INSTRUMENTS.

5. THE GRANTOR, BY THESE INSTRUMENTS, INTENDS TO CONVEY TO THE COUNTY OF GARFIELD AND TO THE STATE OF COLORADO ALL SUCH RIGHTS, CLAIMS AND INTERESTS IN THE PROPERTY AND IN THE RIGHTS OF THE PROPERTY AS ARE NOT OTHERWISE CONVEYED BY THESE INSTRUMENTS.



PLAT MAP

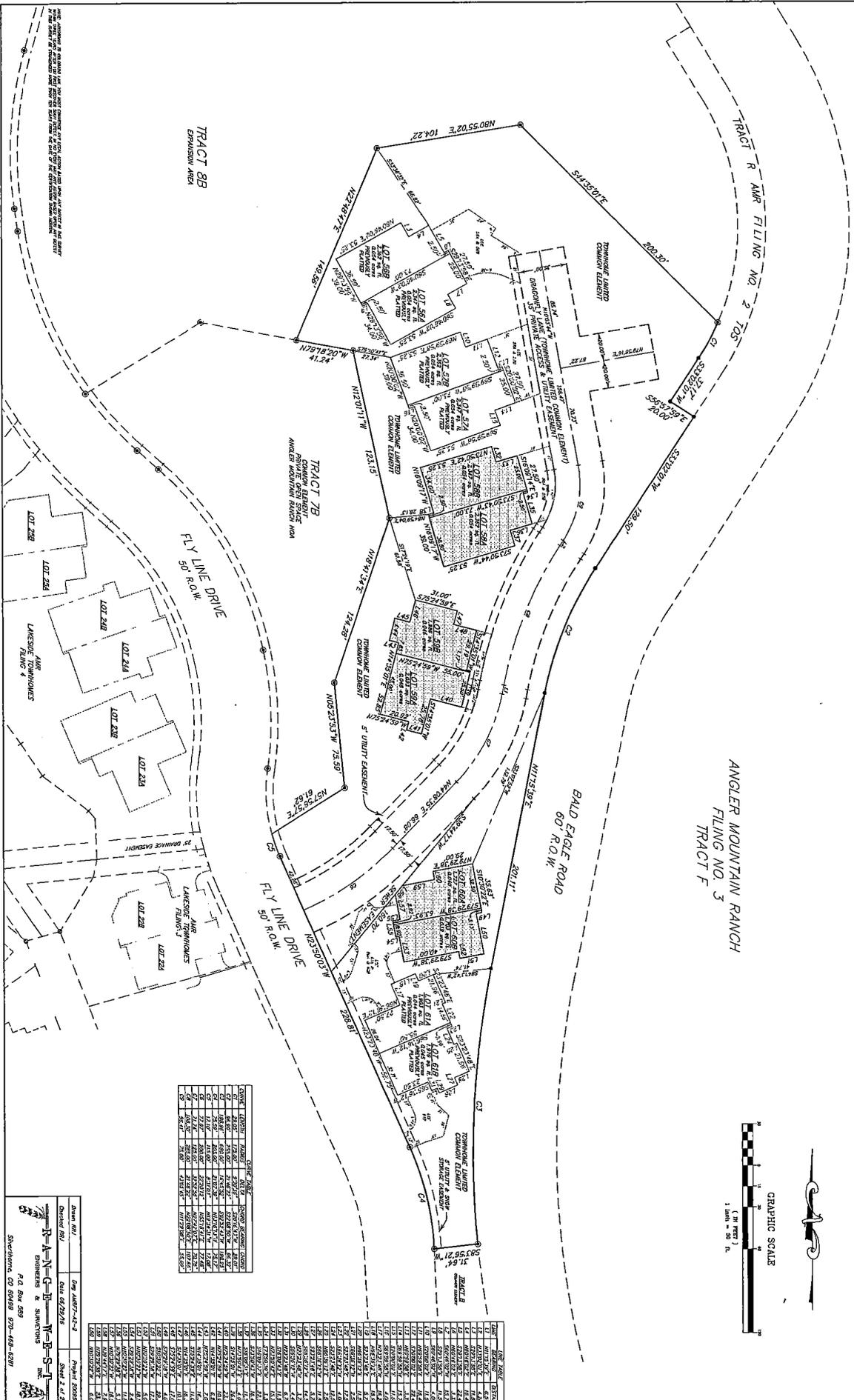
1. THE GRANTOR, BY THESE INSTRUMENTS, INTENDS TO CONVEY TO THE COUNTY OF GARFIELD AND TO THE STATE OF COLORADO ALL SUCH RIGHTS, CLAIMS AND INTERESTS IN THE PROPERTY AND IN THE RIGHTS OF THE PROPERTY AS ARE NOT OTHERWISE CONVEYED BY THESE INSTRUMENTS.

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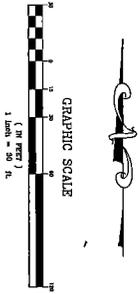
THIS INSTRUMENT IS SUBJECT TO THE RECORDS OF THE COUNTY OF GARFIELD, COLORADO, AND THE GRANTOR AGREES TO WAIVE ALL SUCH RIGHTS, CLAIMS AND INTERESTS IN THE PROPERTY AND IN THE RIGHTS OF THE PROPERTY.

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ANGLER MOUNTAIN RANCH LAKESIDE TOWNHOMES FILING NO. 7 - SECOND AMENDMENT
A RESUBDIVISION OF TRACT 7A, ANGLER MOUNTAIN RANCH LAKESIDE TOWNHOMES FILING NO. 7 - FIRST AMENDMENT
 LOCATED IN THE SOUTH 1/2 OF SECTION 36, T.4S, R.78W, OF THE 6TH P.M.
 TOWN OF SILVERTHORNE, SUMMIT COUNTY, COLORADO
 SHEET 2 OF 2



ANGLER MOUNTAIN RANCH
 FILING NO. 3
 TRACT F



TRACT	ACRES	TOWN	SECTION	RANGE	TOWNSHIP	AREA
7A	10.00	1	36	4S	78W	10.00
7B	10.00	1	36	4S	78W	10.00
8B	10.00	1	36	4S	78W	10.00
9B	10.00	1	36	4S	78W	10.00
10B	10.00	1	36	4S	78W	10.00
11B	10.00	1	36	4S	78W	10.00
12B	10.00	1	36	4S	78W	10.00
13B	10.00	1	36	4S	78W	10.00
14B	10.00	1	36	4S	78W	10.00
15B	10.00	1	36	4S	78W	10.00
16B	10.00	1	36	4S	78W	10.00
17B	10.00	1	36	4S	78W	10.00
18B	10.00	1	36	4S	78W	10.00
19B	10.00	1	36	4S	78W	10.00
20B	10.00	1	36	4S	78W	10.00
21B	10.00	1	36	4S	78W	10.00
22B	10.00	1	36	4S	78W	10.00
23B	10.00	1	36	4S	78W	10.00
24B	10.00	1	36	4S	78W	10.00
25B	10.00	1	36	4S	78W	10.00
26B	10.00	1	36	4S	78W	10.00
27B	10.00	1	36	4S	78W	10.00
28B	10.00	1	36	4S	78W	10.00
29B	10.00	1	36	4S	78W	10.00
30B	10.00	1	36	4S	78W	10.00
31B	10.00	1	36	4S	78W	10.00
32B	10.00	1	36	4S	78W	10.00
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41B	10.00	1	36	4S	78W	10.00
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45B	10.00	1	36	4S	78W	10.00
46B	10.00	1	36	4S	78W	10.00
47B	10.00	1	36	4S	78W	10.00
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71B	10.00	1	36	4S	78W	10.00
72B	10.00	1	36	4S	78W	10.00
73B	10.00	1	36	4S	78W	10.00
74B	10.00	1	36	4S	78W	10.00
75B	10.00	1	36	4S	78W	10.00
76B	10.00	1	36	4S	78W	10.00
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79B	10.00	1	36	4S	78W	10.00
80B	10.00	1	36	4S	78W	10.00
81B	10.00	1	36	4S	78W	10.00
82B	10.00	1	36	4S	78W	10.00
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84B	10.00	1	36	4S	78W	10.00
85B	10.00	1	36	4S	78W	10.00
86B	10.00	1	36	4S	78W	10.00
87B	10.00	1	36	4S	78W	10.00
88B	10.00	1	36	4S	78W	10.00
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94B	10.00	1	36	4S	78W	10.00
95B	10.00	1	36	4S	78W	10.00
96B	10.00	1	36	4S	78W	10.00
97B	10.00	1	36	4S	78W	10.00
98B	10.00	1	36	4S	78W	10.00
99B	10.00	1	36	4S	78W	10.00
100B	10.00	1	36	4S	78W	10.00

RANCO ENGINEERS & SURVEYORS

 P.O. Box 500

 Silverthorne, CO 80490 303-464-4201

Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager 
FROM: Susan Schulman, Executive Assistant to the Town Manager 
DATE: July 21, 2016 for Meeting of July 27, 2016
SUBJECT: Summit Community Care Clinic

Staff from the Summit Community Care Clinic will deliver a Public Presentation to update Council on their entity's activity. Details from their website are below. Council has funded the Summit Community Care Clinic through the Summit County Non-Profit Grant Program for over 5 years.

About Us

Summit Community Care Clinic is the only safety-net health care provider in Summit County, Colorado. We offer high-quality primary care, oral health, behavioral health, and reproductive health services to the medically underserved at an affordable cost. We have been recognized locally, state-wide and nationally for our integrated care model, and for the high quality of care that we provide.

Summit Community Care Clinic is a Federally Qualified Health Center – Look Alike. We serve the uninsured and underinsured members of our local community. We also accept Medicaid, Medicare and some private insurance. Uninsured patients are invited to go through income screening to be eligible for discounted services on a sliding fee scale. Please see the eligibility page for more information on this.

We offer integrated health services to our patients at a price they can afford. Patients pay for their care, however we work with patients to make sure their health needs are met. Healthy people are able to stay in work and contribute to our local community. We are a locally formed solution to a local need. Fees for services for all patients without insurance are based on income and family size. Patients without insurance will be charged according to a sliding fee scale if deemed income eligible. The Sliding Fee Scale is based on the Federal Poverty Guidelines. Charges for services are based on the patient's ability to pay. No one is denied services because of an inability to pay. There are some non-emergent health services that require payment prior to services being rendered.

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Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council ^{KL}
THRU: Ryan Hyland, Town Manager; Mark Leidal, Assistant Town Manager;
Bill Linfield, Public Works Director
FROM: Zach Margolis, Utility Manager
DATE: July 19, 2016 for the July 27th Council Meeting
SUBJECT: Resolution 2016-22, Acceptance of the Donation of Sawmill Ditch
Water Rights

SUMMARY: The owner of 1.833 acre feet of Sawmill Ditch Water Rights has offered to donate these rights to the Town of Silverthorne.

PREVIOUS COUNCIL ACTION: Staff has been directed to add senior water rights to our water rights portfolio when the opportunity arises.

DISCUSSION: The Town is being asked to accept a donation, and would not be signing off on value or anything else about the donation. Staff has discussed this with the Town Water Rights Attorney, Pete Ampe, and Town Attorney, Matt Mire. Their opinion is that there's a lien or anything else against the right, we're not at risk. We do not currently know how these water rights might be used by the Town, but any water rights that are senior to the Colorado River Compact are especially valuable since, once perfected, they can be used even during a "Compact Call".

Water Rights Description: The Saw Mill Ditch water right, consisting of 1.833 cfs interest in the Saw Mill Ditch No. 84, priority 85, District Court Decree case CA1710, with an appropriation date of May 1, 1918. The point of diversion is in the wilderness area west of Willowbrook.

Value: The Town of Silverthorne does not have an opinion as to the value of these water rights

STAFF RECOMMENDATION:
Staff recommends approval of Resolution 2016-22

RECOMMENDED MOTION:
I move to approve Resolution No. 2016-22, a resolution authorizing the Mayor to sign documents to acknowledge the donation of the Sawmill Ditch Water Rights

Attachments:

- Resolution 2016-22; Signed Quit-Claim Deed; Sawmill Ditch Decree

MANAGERS COMMENTS:

**TOWN OF SILVERTHORNE, COLORADO
RESOLUTION NO. 2016-22**

**A RESOLUTION OF THE SILVERTHORNE TOWN COUNCIL ACCEPTING A
DONATION OF SAW MILL DITCH WATER RIGHTS**

WHEREAS, Gary J. Miller (“Owner”) is the purported owner of certain water rights described as: 1.833 cfs out of the 2.0 cfs decreed for domestic purposes to Saw Mill Ditch No. 84 and Priority No. 85 in Water District No. 36, by the Summit County District Court on October 26, 1937 in Civil Action 1710, with an appropriation date of May 1, 1918, the source of which is South Willow Creek with a decreed point of diversion located on the West bank of South Willow Creek, in Section 10, Township 5 South, Range 78 West of the 6th PM (the “Water Right”);

WHEREAS, Owner wishes to donate the Water Right to the Town of Silverthorne, Colorado (“the Town”); and

WHEREAS, The Town wishes to accept the donation of the Water Right pursuant to Section 14.4 of the Silverthorne Town Charter.

NOW THEREFORE BE IT RESOLVED BY THE SILVERTHORNE TOWN COUNCIL AS FOLLOWS:

Section 1. The Town hereby accepts the donation of the Water Right from Owner.

Section 2. The Town makes no representation as to the fair market value of the Water Right.

INTRODUCED, PASSED AND ADOPTED this 27nd day of July, 2016.

Bruce Butler, Mayor

ATTEST:

Michele Miller, Town Clerk

No Documentary Fee
Consideration Less than \$500

**QUIT CLAIM DEED
(Water Rights)**

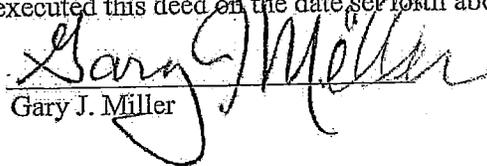
This **QUIT CLAIM DEED** is made on this 27 day of June, 2016, by Gary J. Miller, an individual with residence in Summit County, Colorado ("Grantor"), to the Town of Silverthorne, a body corporate and politic, whose legal address is 601 Center Circle, Silverthorne, Colorado 80498 ("Grantee").

WITNESS, that Grantor, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has sold and quit claimed, and by these presents does sell and quitclaim unto Grantee, its heirs, personal representatives, devisees, successors, and assigns forever, all of Grantor's right, title, and interest in and to all water and water rights situate, lying and being in the County of Summit, State of Colorado, described as:

1.833 cfs out of the 2.0 cfs decreed for domestic purposes to Saw Mill Ditch, Ditch No. 84 and Priority No. 85 in Water District No. 36, by the Summit County District Court on October 26, 1937 in Civil Action 1710, with an appropriation date of May 1, 1918, the source of which is South Willow Creek with a decreed point of diversion located on the West Bank of South Willow Creek, in Section 10, Township 5 South, Range 78 West of the 6th PM

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anyway thereunto appertaining, and all the estate, right, title, interest, and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit, and behoof of the Grantee and its successors and assigns forever.

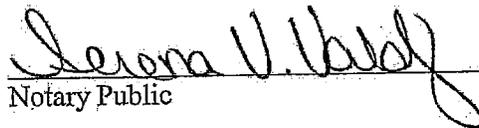
IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.


Gary J. Miller

STATE OF COLORADO)
)
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 27 day of June, 2016, by Gary J. Miller.

Witness my hand and official seal.


Notary Public

My commission expires: 10/22/16

SERENA V. VALDEZ
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20124043479
MY COMMISSION EXPIRES OCTOBER 22, 2016

cubic feet of water per second of time.

6. That the date of appropriation of water by and through said ditch by original construction thereof is August 1, 1915.

7. It is, therefor, ~~and~~ hereby ordered, adjudged and decreed that said ditch be given Priority No. 84 herein, the same to relate back to and date from the 1st day of August, 1915, by virtue of the appropriation and use of water therethrough by the original construction thereof, and that there be allowed to flow into said ditch from said south fork of North Barton Creek, for the use aforesaid and for the benefit of the parties lawfully entitled thereto 1.5 cubic feet of water per second of time, under and by virtue of said Priority No. 84, and that said Priority No. 84 be and the same is hereby made absolute and unconditional.

DITCH NO 84

THE SAW MILL DITCH

PRIORITY NO 85.

1. Said Ditch is Ditch No. 84 in Water District No. 36 State of Colorado, and is entitled, under this decree to Priority No. 85.

2. That the claimant of said ditch is Lansing J. Emore

3. That the ditch is used for domestic purposes and takes its supply of water from South Willow Creek in Summit County, Colorado, and is entitled, unconditionally, under said Priority No. 85, to 2.0 cubic feet of water per second of time from said South Willow Creek as of May 1, 1918.

4. That the headgate of said Saw Mill Ditch is located at a point on the East Bank of South Willow Creek, Summit County, Colorado, Water District No. 36, from which it derives its supply of water, whence the N.E. Corner of Section 10 T. 5 S. R. 78 W. of the 6th P.M. bears N. 67°23' E. 2262.3 feet.

5. a That the present length of said ditch is 7433.60 feet

b. That the present width of said ditch is 3.5 feet

- c. That the present depth of said ditch is 1.25 feet.
- d. That the present grade of said ditch is about 2.0 feet per 1000 feet.
- e. That the present capacity of said ditch is 4.0 cubic feet of water per second of time.

6. That the date of appropriation of water by and through said ditch by original construction is May 1, 1918.

7. It is, therefore, hereby ordered, adjudged and decreed that said ditch be given Priority No. 85 herein, the same to relate back to and date from the 1st day of May, 1918, by virtue of the appropriation and use of water therethrough by original construction thereof and that there be allowed to flow into said ditch from said South Willow Creek, for the use aforesaid and for the benefit of the parties lawfully entitled thereto 2.0 cubic feet of water per second of time under and by virtue of said Priority No. 85, and that said Priority No. 85 be and the same is hereby made absolute and unconditional.

Ditch No. 85 THE B. & L. DITCH PRIORITY NO 86.

1. Said Ditch is Ditch No. 85 in Water District No. 36, State of Colorado, and is entitled, under this decree to Priority No. 86.

2. That the claimant of said ditch is The Continental Dredging Company.

3. That said ditch is used for power, gold dredging and placer mining purposes and takes its supply of water from Cucumber Creek and from the North Fork of South Barton Creek and the South Fork of South Barton Creek in Summit County, Colorado, and is entitled, unconditionally, under said Priority No. 86 to 5.0 cubic feet of water per second of time from said Cucumber Creek and 5.0 ~~from~~ cubic feet of water per second of time from the North Fork of South Barton Creek and the South Fork of South Barton Creek

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Town of Silverthorne
Town Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager *RH*
Mark Leidal, AICP, Assistant Town Manager *ML*
FROM: Matt Gennett, AICP, Planning Manager *MG*
DATE: July 21, 2016, for the meeting of July 27, 2016
SUBJECT: Tract S, South Maryland Creek Ranch (SMCR), Filing No. 1 – Final Site Plan (PT2016-8)

SUMMARY: The applicant is proposing to construct six (6) single-family, footprint homes on Tract S, a platted parcel owned in common by the Summit Sky Ranch HOA. The proposed use, architecture, and site design are consistent with the previously approved SMCR PUD, Preliminary Subdivision Plan, and Final Plat for the subject property. Access to Tract S will be obtained off of a private access easement named Moss Way.

PREVIOUS COUNCIL ACTION: On December 14, 2005, Town Council approved both the Annexation, and associated Annexation Agreement, and PUD zoning for South Maryland Creek Ranch (SMCR) PUD. On December 14, 2005, Town Council approved Ordinance No. 2005-17 creating the SMCR General Improvement District. A Sketch Subdivision of South Maryland Creek Ranch was approved by Town Council on November 9, 2005. The South Maryland Creek Ranch Minor Subdivision was approved by Town Council on June 28, 2006. On September 12, 2007, the Town Council approved the Sketch Plan for the South Maryland Creek Ranch Major PUD Modification which proposed 83 residential units on 416 acres. On November 14, 2007, the Town Council approved on first reading Ordinance No. 2007-23, an ordinance zoning 61 acres of the Maryland Creek Ranch to South Maryland Creek Ranch PUD. On November 28, 2007, the Town Council approved Ordinance No. 2007-23 on second reading, an ordinance zoning 61 acres of Maryland Creek Ranch to South Maryland Creek Ranch PUD.

Maryland Creek Ranch (MCR) Sketch Subdivision and Sketch Disturbance Permit Application (DPA) for the 416 acre property, was approved by Town Council on February 13, 2008. A Preliminary Subdivision and Preliminary DPA were approved on September 24, 2008. On June 24, 2009, Town Council re-approved the Preliminary Subdivision and DPA and granted a one-year extension to the MCR Preliminary Subdivision and DPA, extending the Preliminary approval to September 24, 2010. Staff approved a six month extension of the Preliminary Subdivision and DPA from September 24, 2010, to March 24, 2011.

On March 9, 2011, the Town Council reapproved the Preliminary Subdivision for MCR with an extended three-year effective date of approval. The reapproved Preliminary Subdivision expired on March 24, 2014.

On October 22, 2014, the Town Council approved the Fourth Amendment to the Amended and Restated Annexation and Development Agreement for SMCR, which extended certain deadlines by one year. On October 22, 2014, the Town Council approved the Second Amendment to the Amended and Restated Water Service Agreement for SMCR to extend a deadline by one year. On October 22, 2014, the Town Council approved the Fifth Amendment to the Subdivision Improvements Agreement for SMCR to extend a deadline commensurate with the completion of required improvements.

Town of Silverthorne
Town Council Agenda Memorandum

On January 28, 2015, Council approved Minor Subdivision plats for SMCR and Ox Bow Ranch which resolved a property line location discrepancy.

On March 11, 2015, Council held a Public Hearing on the PUD Major Amendment application at their regular meeting and continued the item to the regularly scheduled meeting of May 27, 2015. On May 27, 2015, Council approved Ordinance No. 2015-08 on First Reading. On June 10, 2015, Council approved Ordinance No. 2015-08 on Second Reading, approving a Major Amendment to the SMCR PUD.

On September 23, 2015, Council approved the SMCR Preliminary Plan for Subdivision. On March 9, 2016, Council approved the Final Plat for South Maryland Creek Ranch – Filing No. 1, thereby creating Tract S. Council approved the Preliminary Site Plan for Tract S, SMCR – Filing No. 1, on May 11, 2016.

BACKGROUND: In December 2005, the Town annexed and zoned SMCR which then consisted of 71 single family residential units on 355 acres. On May 23, 2007, Maryland Creek Ranch, LLC, brought forward an Annexation Petition to annex an additional 61 acres. The primary purpose of this later annexation was to increase the acreage of SMCR property so that the one unit per five acre Rural Residential density would be maintained upon incorporating an additional twelve (12) units into the original SMCR PUD. In November 2007, the Town approved the annexation of an additional 61 acres concurrently with a Major PUD Amendment to zone the additional 61 acres and allow for an additional twelve (12) units of density in the SMCR PUD, which brought the total units to 83 single family units on 416 acres. On May 16, 2014, the applicants submitted the application for a Major Amendment to the SMCR PUD. On March 3, 2015, the Planning Commission forwarded a recommendation of approval of the PUD Major Amendment application to Council. On September 23, 2015, Planning Commission forwarded a recommendation of approval of the SMCR Preliminary Plan for Subdivision. On March 1, 2016, Planning forwarded a recommendation of approval of the Final Plat for SMCR – Filing No. 1, which created Tract S and its associated easements.

DISCUSSION: Please see the attached Staff Report.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission, by a vote of 7-0, recommends approval of the Final Site Plan for Tract S, South Maryland Creek Ranch, Filing No. 1.

Suggested Motion: *“I move to approve the Final Site Plan for Tract S, South Maryland Creek Ranch, Filing No. 1.”*

ATTACHMENTS:
Staff Report and Exhibits

MANAGER’S COMMENTS:

Town of Silverthorne, Colorado
Town Council Staff Report

From: Matt Gennett, AICP, Planning Manager *MG*

Date: July 21, 2016, for the meeting of July 27, 2016

Subject: Final Site Plan – Tract S, South Maryland Creek Ranch (SMCR), Filing No. 1 (PT 2016-8)

Owner: Tom Everist

Applicant: Joanna Hopkins, Development Director, Summit Sky Ranch

Proposal: The applicant is requesting approval of a Final Site Plan for six single-family, cabin style homes to be located on Tract S. The proposed use, architecture, and site design are in keeping with the previously approved SMCR PUD, Preliminary Subdivision Plan, and Final Plat for the subject property. *(Please see the attached plans for further information.)*

Address: 28585 State Highway 9

Legal Description: Tract S, South Maryland Creek Ranch – Filing No. 1

Site Area: 5.29 acres, or 230,508 square feet

Zone District: South Maryland Creek Ranch Planned Unit Development (PUD)

Design District: N/A

Site Conditions: Of the total site area of 416 acres included in the subject PUD, a portion is currently being used by Everist Materials for their gravel operation. Limited construction of public infrastructure, approved under a Minor Subdivision plat, has also occurred.

Adjacent Uses: North: Remainder of the Maryland Creek Ranch property
South: US Forest Service property
East: Oxbow Ranch and Highway 9
West: US Forest Service property

Height: Allowed: 35 feet
Proposed: 28 feet

Lot Coverage: Allowed: 15% of the lot area, or 34,576 square feet
Proposed: 3% of the lot area, or 7,582 square feet

Parking: Required: 2 per dwelling unit, or 12 spaces

- Proposed: 24 spaces
- Snow Storage:** Required: 25% of paved surface, or 6,272 square feet
Proposed: 27% of paved surface, or 6,900 square feet
- Landscaping:** Required: 18 trees and 36 shrubs
Proposed: 70 trees and 53 shrubs (exceeds requirement)
- Setbacks:** As set forth in the SMCR PUD Guide, the residences depicted on the Final Site Plan maintain the minimum separation between buildings of twenty feet (20'). The minimum front setback of ten feet (10') from the private access, Moss Way, is likewise being maintained. No other setback requirements pertain to this proposal.

PREVIOUS COUNCIL ACTION: On December 14, 2005, Town Council approved both the Annexation, and associated Annexation Agreement, and PUD zoning for South Maryland Creek Ranch (SMCR) PUD. On December 14, 2005, Town Council approved Ordinance No. 2005-17 creating the SMCR General Improvement District. A Sketch Subdivision of South Maryland Creek Ranch was approved by Town Council on November 9, 2005. The South Maryland Creek Ranch Minor Subdivision was approved by Town Council on June 28, 2006. On September 12, 2007, the Town Council approved the Sketch Plan for the South Maryland Creek Ranch Major PUD Modification which proposed 83 residential units on 416 acres. On November 14, 2007, the Town Council approved on first reading Ordinance No. 2007-23, an ordinance zoning 61 acres of the Maryland Creek Ranch to South Maryland Creek Ranch PUD. On November 28, 2007, the Town Council approved Ordinance No. 2007-23 on second reading, an ordinance zoning 61 acres of Maryland Creek Ranch to South Maryland Creek Ranch PUD.

Maryland Creek Ranch (MCR) Sketch Subdivision and Sketch Disturbance Permit Application (DPA) for the 416-acre property, was approved by Town Council on February 13, 2008. A Preliminary Subdivision and Preliminary DPA were approved on September 24, 2008. On June 24, 2009, Town Council re-approved the Preliminary Subdivision and DPA and granted a one-year extension to the MCR Preliminary Subdivision and DPA, extending the Preliminary approval to September 24, 2010. Staff approved a six-month extension of the Preliminary Subdivision and DPA from September 24, 2010, to March 24, 2011.

On March 9, 2011, the Town Council reapproved the Preliminary Subdivision for MCR with an extended three-year effective date of approval. The reapproved Preliminary Subdivision expired on March 24, 2014.

On October 22, 2014, the Town Council approved the Fourth Amendment to the Amended and Restated Annexation and Development Agreement for SMCR, which extended certain deadlines by one year. On October 22, 2014, the Town Council approved the Second Amendment to the Amended and Restated Water Service Agreement for SMCR to extend a deadline by one year. On October 22, 2014, the Town Council approved the Fifth Amendment to the Subdivision Improvements Agreement for SMCR to extend a deadline commensurate with the completion of required improvements.

On January 28, 2015, Council approved Minor Subdivision plats for SMCR and Ox Bow Ranch which resolved a property line location discrepancy.

On March 11, 2015, Council held a Public Hearing on an application for a Major Amendment to the SMCR PUD at their regular meeting, and continued the item to the regularly scheduled meeting of May 27, 2015. On May 27, 2015, Council approved Ordinance No. 2015-08 on First Reading. On June 10, 2015, Council approved Ordinance No. 2015-08 on Second Reading, thereby increasing the maximum allowable density from 83 to 240 dwelling units on 416 acres.

On September 23, 2015, Council approved the SMCR Preliminary Plan for Subdivision. On March 9, 2016, Council approved the Final Plat for South Maryland Creek Ranch – Filing No. 1, thereby creating Tract D. On May 11, 2016, Council approved the Preliminary Site Plan for Tract S, South Maryland Creek Ranch.

BACKGROUND: In December 2005, the Town annexed and zoned SMCR which then consisted of 71 single family residential units on 355 acres. On May 23, 2007, Maryland Creek Ranch, LLC, brought forward an Annexation Petition to annex an additional 61 acres. The primary purpose of this later annexation was to increase the acreage of SMCR property so that the one unit per five acres, Rural Residential density would be maintained upon incorporating an additional twelve (12) units into the original SMCR PUD. In November 2007, the Town approved the annexation of an additional 61 acres concurrently with a Major PUD Amendment to zone the additional 61 acres and allow for an additional twelve (12) units of density in the SMCR PUD, which brought the total units to 83 single family units on 416 acres. On May 16, 2014, the applicants submitted the application for a Major Amendment to the SMCR PUD to increase the maximum density to 240 dwelling units. On March 3, 2015, the Planning Commission forwarded a recommendation of approval of the PUD Major Amendment application to Council. On September 23, 2015, Planning Commission forwarded a recommendation of approval of the SMCR Preliminary Plan for Subdivision.

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

Comprehensive Plan: The Silverthorne Comprehensive Plan reflects the goals and objectives of the community. The first criterion for review of a Final Site Plan is consistency with the goals and policies of the Comprehensive Plan. Given that the PUD Major Amendment, Preliminary Plan for Subdivision, and the Final Plat for Phase 1 were all previously found to be in compliance with the Comprehensive Plan, and the subject application adheres to the previous approvals listed above, Staff finds the Final Site Plan for Tract S in conformance with the Comprehensive Plan.

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

Land Use: Tract S is zoned as a common area parcel to accommodate six (6) single-

family, footprint style homes via the SMCR PUD, and the Final Site Plan for Tract S is consistent with this land use designation.

Zoning Standards: All of the pertinent Zoning Standards set forth in the SMCR PUD Guide, including building height, lot coverage, setbacks, and snow storage, are being met with the proposed Final Site Plan for Tract S.

Vehicular Access: The site is accessed via a 24' wide two-way private drive, named Moss Way, aligned within a 35' easement. The proposed private access meets Town road standards.

Pedestrian Access: A private, soft surface trail has been included with the proposal to facilitate pedestrian access.

Traffic Impacts: Based on Section 4-6-7(c)(2)(c), *Final Site Plan Submittal Requirements*, the Town may request any reasonable information to aid in a Site Plan review, including Traffic Studies. Because the proposed development is part of a PUD and Subdivision for which thorough Traffic Studies have already been performed, Staff finds this criterion to be met.

Parking: As listed in the first section of this memorandum, the minimum parking requirement for the Tract S Final Site Plan proposal is 12 standard spaces. The applicant is proposing 24 standard spaces, thereby exceeding the minimum number of required parking spaces.

Snow Storage: A minimum of 25% of the total paved area must be provided for snow storage, and this requirement has been exceeded with the subject application.

Landscaping: As indicated above, a minimum of three (3) trees and six (6) shrubs is required for each single-family home, which equates to eighteen (18) trees and thirty-six (36) shrubs for this proposal. The applicant is proposing to plant 70 trees and 53 shrubs, thereby exceeding the minimum requirement.

Lighting: The Lighting Plan is shown on Sheet LP in the accompanying reduced plan set included in the Final Site Plan application binder for Tract S. All lighting fixtures on the buildings are proposed as downcast and fully shielded. Details and cut sheets for each type of fixture will be required upon Building Permit submittals.

Utilities: No comments or concerns regarding proposed utilities have been received from the Utilities Manager.

Drainage: A Phase I Master Drainage Plan was submitted and approved with the Final Plat on March 9, 2016. Given that Tract S is located within the plans for Phase I, this criterion has been met.

Architecture: There are three home prototypes proposed for Tract S: The Keller Cabin, the Valhalla Cabin, and the Powell Cabin. All three of these home types meet the architectural requirements of the SMCR PUD Guide and incorporate columns, trusses, beams, and a

combination of gable and shed roofs. *(Please see the attached application binder for details.)*

PLANNING COMMISSION RECOMMENDATION: The Planning Commission, by a vote of 7-0, recommends approval of the Final Site Plan for Tract S, South Maryland Creek Ranch – Filing No. 1.

Suggested Motion: *“I move to approve the Final Site Plan for Tract S, South Maryland Creek Ranch – Filing No. 1.”*

Alternate Motion: Should Council determine that the proposed Final Site Plan does not meet Town requirements, the following motion may be made: *“I move to deny of the Final Site Plan for Tract S, South Maryland Creek Ranch – Filing No. 1, with the finding that it does not meet STC Section 4-6-8(i) Criteria for a Final Site Plan.”*

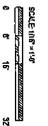
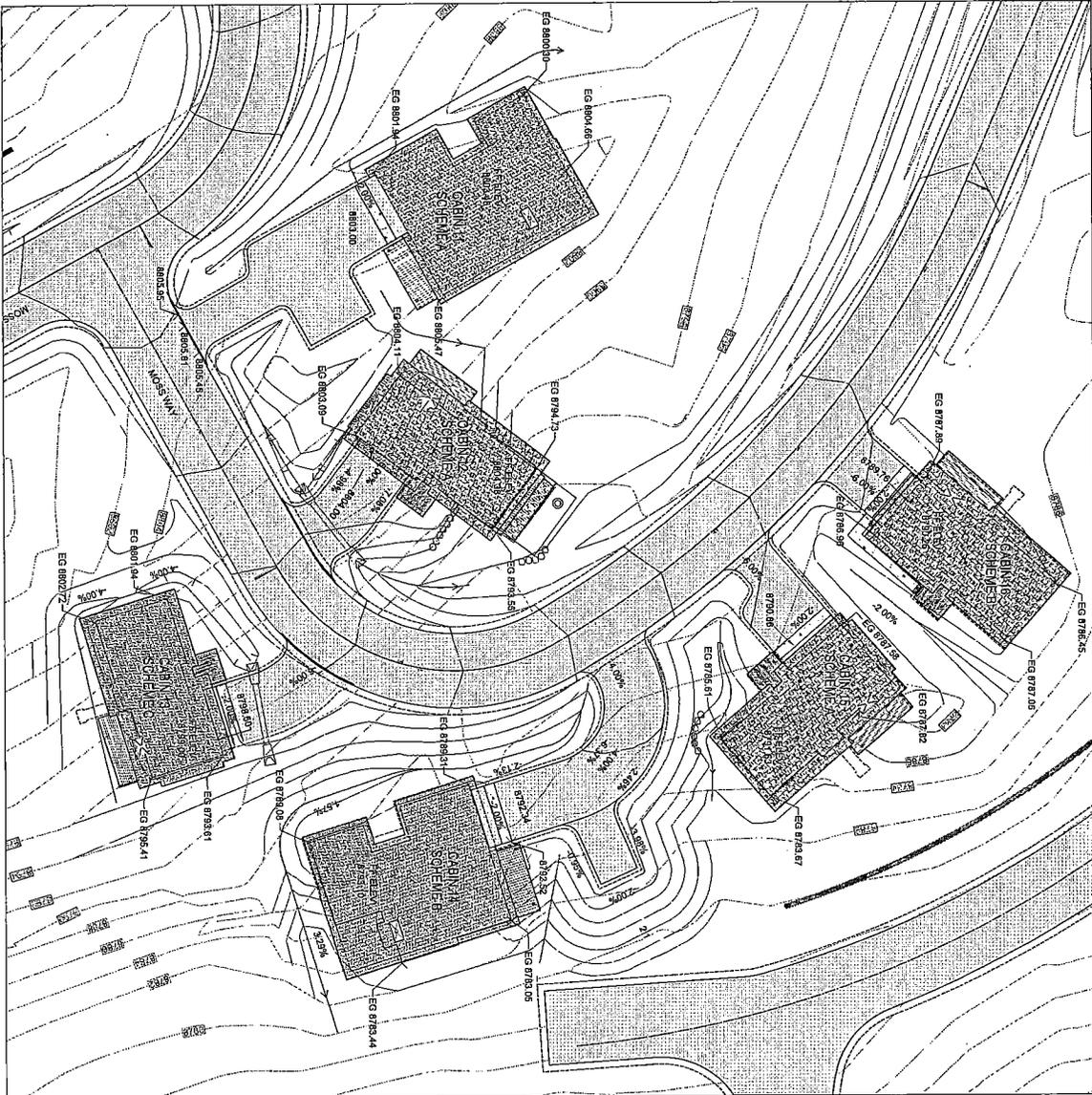
EXHIBITS:

Exhibit A: 8.5”x11” Site Plan and Architectural Elevations

ATTACHMENTS:

Final Site Plan application binder for Tract S, SMCR – Filing No. 1

TRACT S SITE PLAN



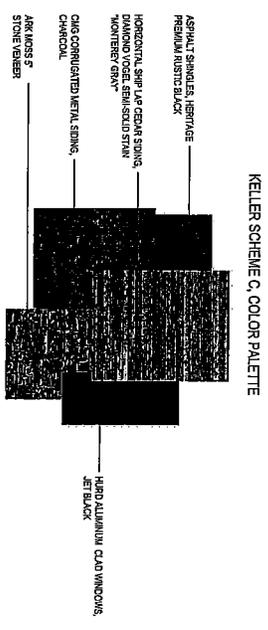
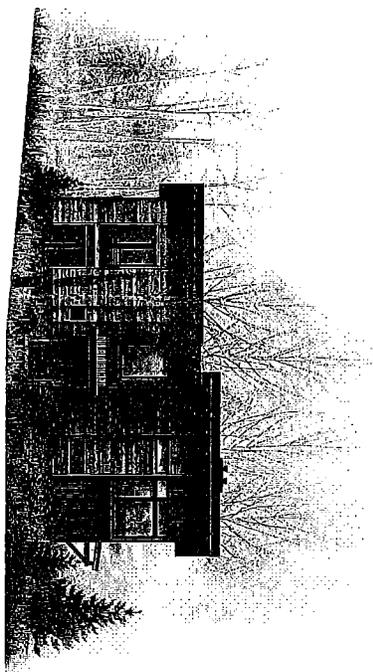
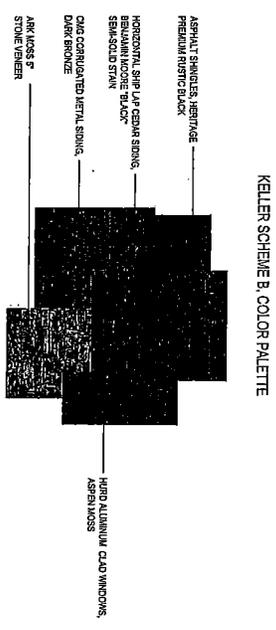
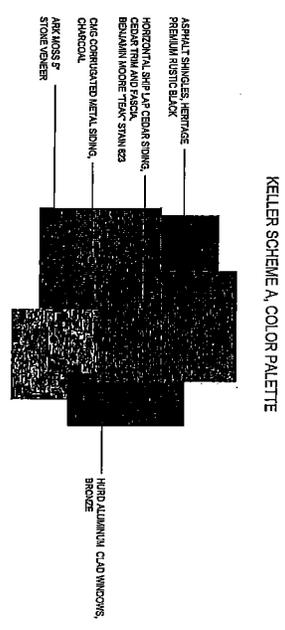
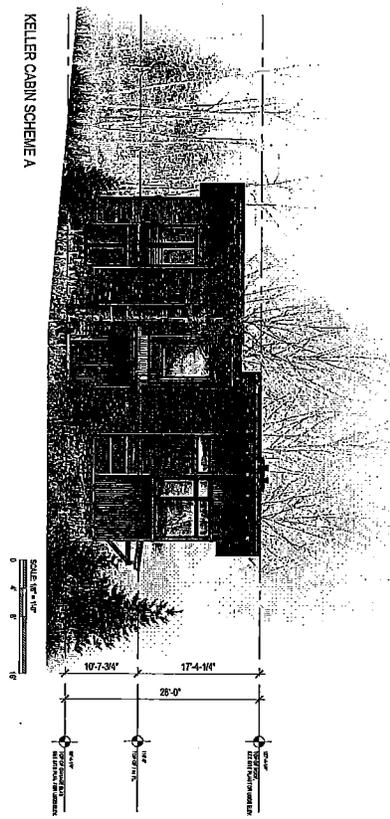
AREA CALCULATIONS
 GROSS SQUARE FOOTAGE TRACT S - 2209 ACRES (220,900 SF)
 NET SQUARE FOOTAGE TRACT S - 9,578,120 SF
 TRACT S DRAINAGE AREA - 1.00 ACRES
 - 3 STEEL WHEELS
 - 2 TOWELL MODELS
 - 1 WALKWAY MODEL
 TRACT S TOTAL SQUARE FOOTAGE OF CABIN ROOMS - 6174 ACRES (617,400 SF)

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 - 2 TOWELL MODELS
 - 1 WALKWAY MODEL
 TRACT S TOTAL SQUARE FOOTAGE OF CABIN ROOMS - 6174 ACRES (617,400 SF)

NOT FOR CONSTRUCTION

<p>OWNER: EVERETT LAND 288 ALAMOSA AVE SILVERTHORNE, CO 80458 970.582.5591</p>	<p style="text-align: center;">SITE PLAN SUBMITTAL TRACT S</p> <p style="text-align: center;">SILVERTHORNE, CO, GRAD 80468</p>
<p>DATE: FINAL SUBMITTAL 02/27/2016</p>	<p style="text-align: right;"> K&N ENGINEERING 2180 E 17th Avenue Denver, Colorado 80202 CHAN@KNCHE.COM </p>
<p>SHEET TITLE: TRACT S</p> <p>SHEET NUMBER:</p>	<p>OWNER: EVERETT LAND 288 ALAMOSA AVE SILVERTHORNE, CO 80458 970.582.5591</p>



NOT FOR CONSTRUCTION

SITE PLAN SUBMITTAL TRACT S

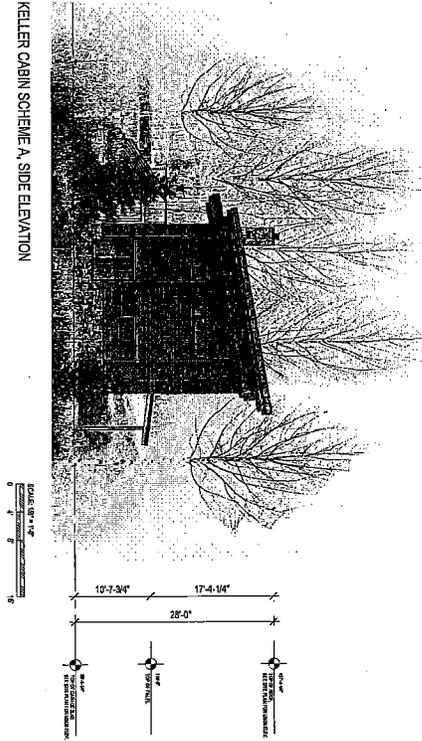
SILVERTHORNE, COLORADO 80488

2400 E. 7TH AVENUE
DENVER, COLORADO 80202
720.467.2012
CRANEARCH.COM

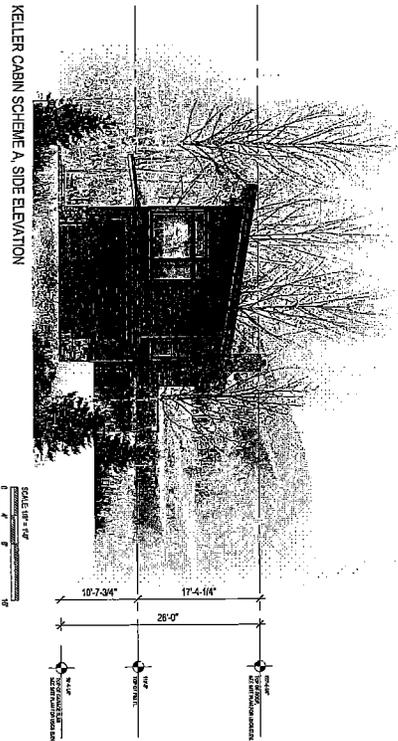
OWNER:
ROBERT LUND
HOLDINGS, LLC
559 ADAMS AVE.
SILVERTHORNE, CO
970.525.5591

DATE:	FINAL SUBMITTAL
DATE:	02/27/2018
SHEET TITLE:	TRACT S
SHEET NUMBER:	

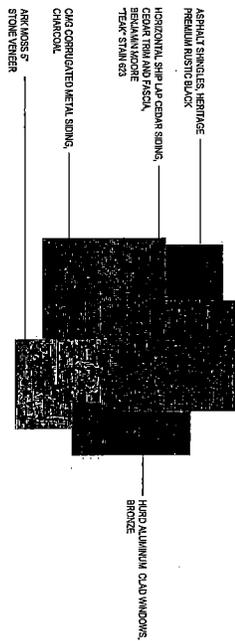
KELLER CABIN SCHEME A, SIDE ELEVATION



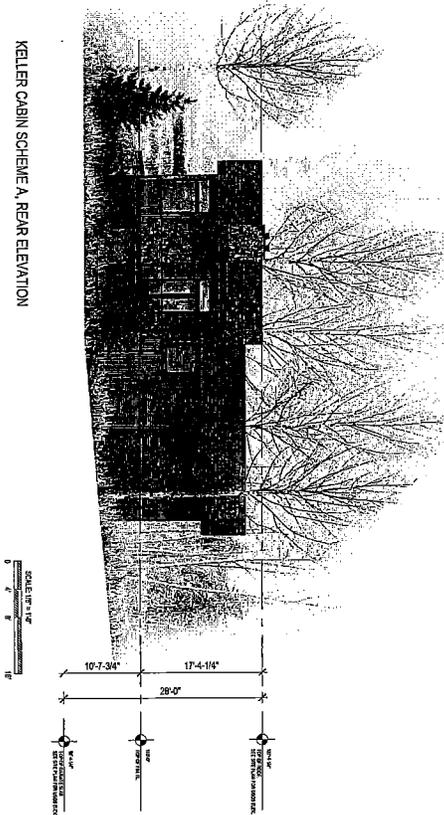
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KELLER CABIN SCHEME A, COLOR PALETTE



KELLER CABIN SCHEME A, REAR ELEVATION



NOT FOR CONSTRUCTION

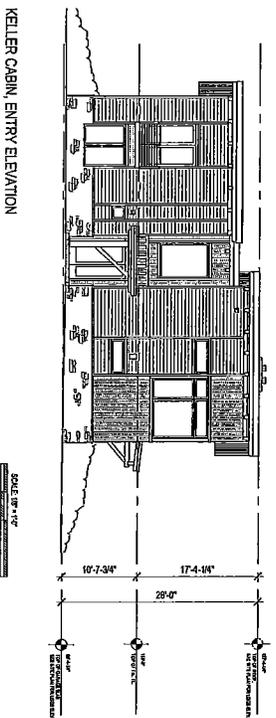
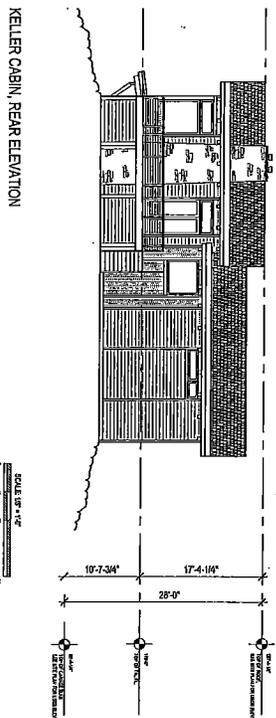
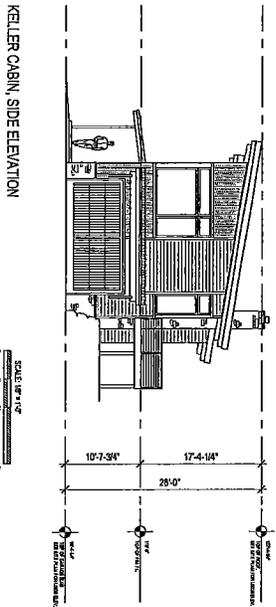
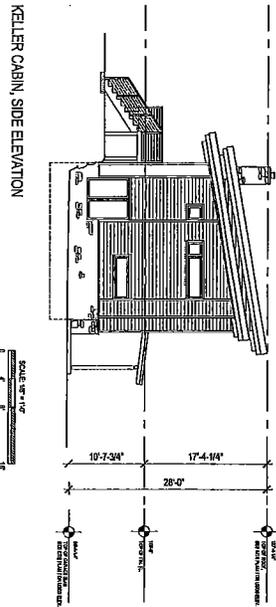
SITE PLAN SUBMITTAL TRACT S

SILVERTHORNE, COLORADO 80865

OWNER:
 EVEREST LAND HOLDINGS LLC
 1000 W. 10TH AVENUE
 SILVERTHORNE, CO 80865
 970-582-2991

2480 E 17th Avenue
 Denver, Colorado 80202
 CH2MHILL.COM

DATE:	FINAL SUBMITTAL
DATE:	05/27/2018
SHEET TITLE:	TRACT S
SHEET NUMBER:	



NOT FOR CONSTRUCTION

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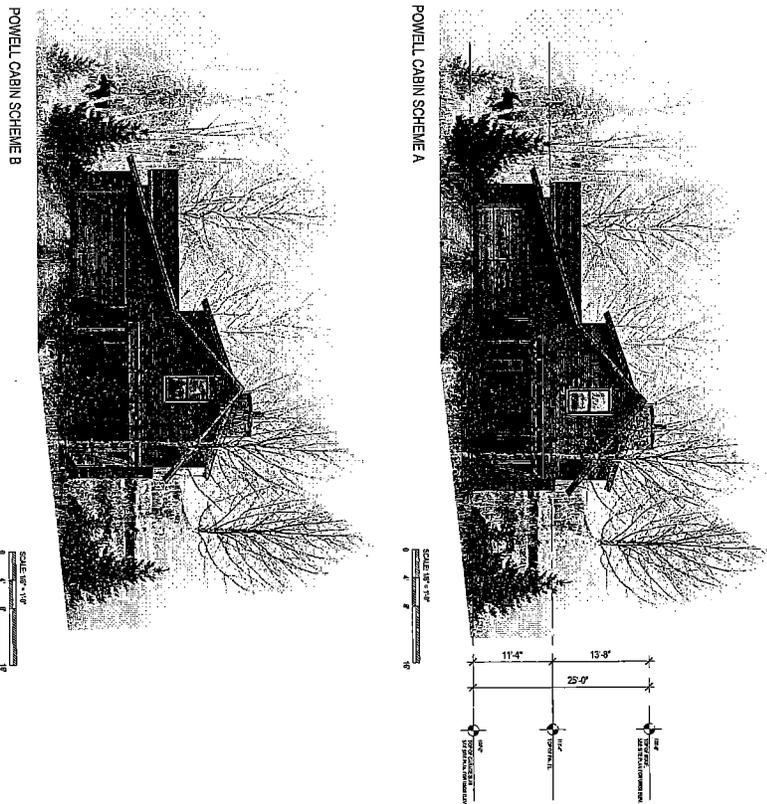
SILVERTHORPE, COLORADO 80458

OWNER:
EQUESTRIAN LAND HOLDINGS LLC
13800 W. 10TH AVENUE, SUITE 200
DENVER, CO 80233
303.552.9991

DATE:
FINAL SUBMITTAL
02/27/2015

SHEET TITLE:
TRACT S
SHEET NUMBER:

2103 E. 17th Avenue
Denver, Colorado 80202
781.487.2012
COURTESY@COURTESY.COM



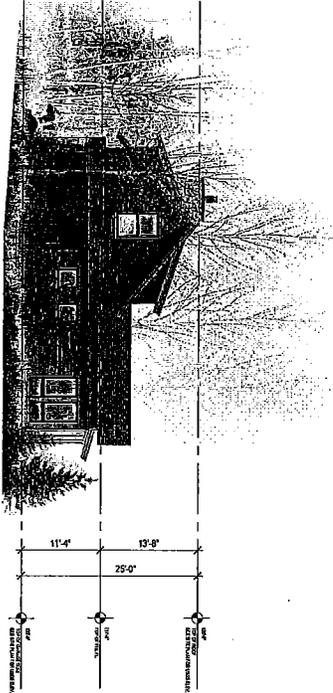
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- ASPHALT SHINGLES, HERITAGE
 - PREMIUM RUSTIC BLACK
 - HORIZONTAL SIPR LAP CEDAR SIDING, GEORGINA SHIP PASCAL, BENJAMIN MOORE "TEAK" STAIN 001
 - ONE FLAT LOCK METAL SIDING, CHAMCOAL
 - ARK CROSS 5" STONE VENER AT FIREPLACE
 - HARD ALUMINUM CLAD WINDOWS, BRONZE

- POWELL SCHEME B, COLOR PALETTE**
- ASPHALT SHINGLES, HERITAGE
 - PREMIUM RUSTIC BLACK
 - HORIZONTAL SIPR LAP CEDAR SIDING, GEORGINA SHIP PASCAL, BENJAMIN MOORE "TEAK" STAIN 001
 - ONE FLAT LOCK METAL SIDING, CHAMCOAL
 - ARK CROSS 5" STONE VENER AT FIREPLACE
 - HARD ALUMINUM CLAD WINDOWS, BRONZE

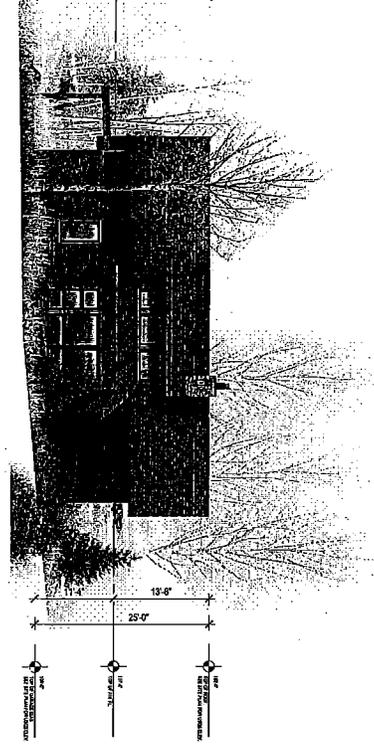
NOT FOR CONSTRUCTION

<p>OWNER: EVEREST LAND HOLDINGS LLC 1000 N. 100TH ST. SILVERTHORNE, CO 80498 970-582-9991</p>	<p style="text-align: center;">SITE PLAN SUBMITTAL TRACT S</p> <p style="text-align: center;">SILVERTHORNE, COLORADO 80498</p>	<p style="text-align: right;">CRANE CONSULTANTS 2190 E. 17th Avenue Denver, CO 80202 CRANE@CRANECONS.COM</p>
<p>DATE: FINAL SUBMITTAL 02/27/2018</p>		
<p>SHEET TITLE: TRACT S</p>		
<p>SHEET NUMBER:</p>		

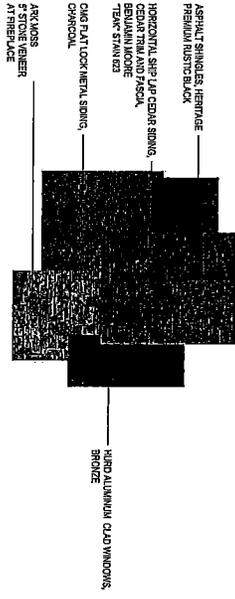
POWELL CABIN, SCHEME A REAR ELEVATION



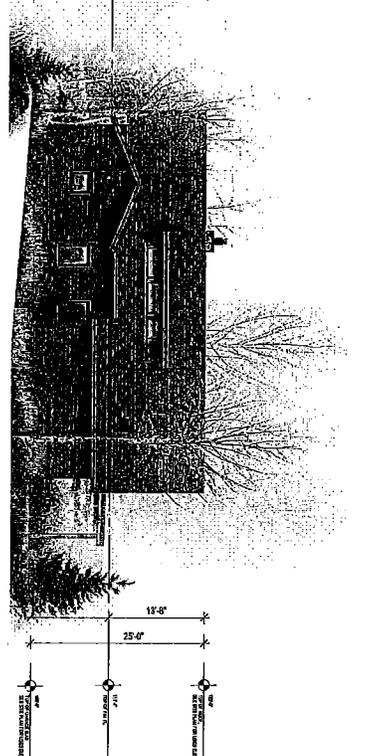
POWELL CABIN, SCHEME A SIDE ELEVATION



POWELL SCHEME A COLOR PALETTE



POWELL CABIN, SCHEME A SIDE ELEVATION



NOT FOR CONSTRUCTION

SITE PLAN SUBMITTAL TRACT S

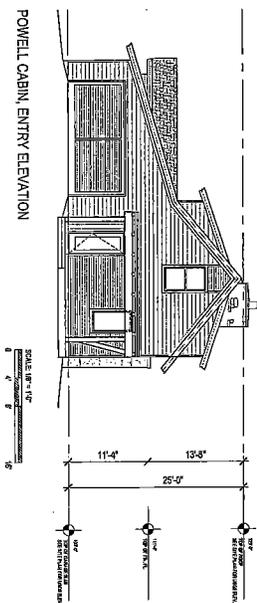
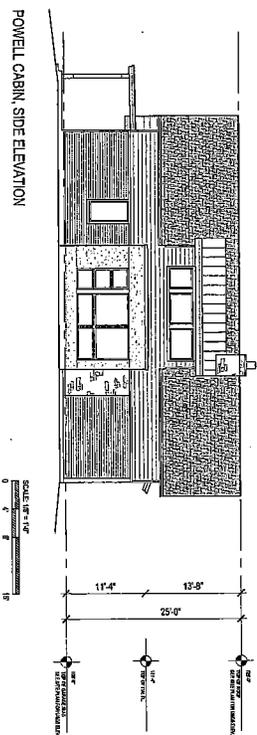
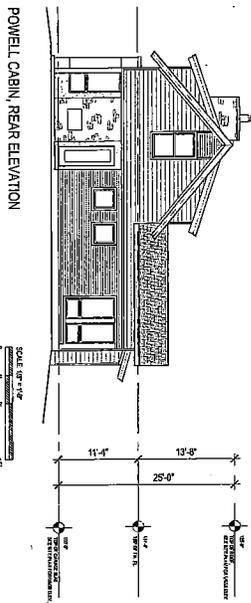
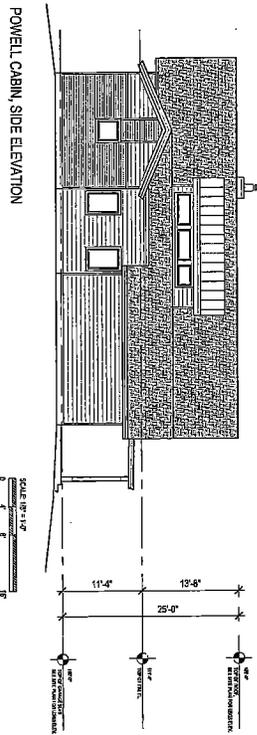
SILVERTHORNE, COLORADO 80198

OWNER:
SIGHTLAND
HOLDINGS, LLC
639 ADAMS AVE.
SILVERTHORNE, CO
80198
970-255-5591

2105 E. 17th Avenue
Denver, Colorado 80202
720.457.2012
CRANBERCH.COM

SHEET TITLE:
TRACT S

SHEET NUMBER:



NOT FOR CONSTRUCTION

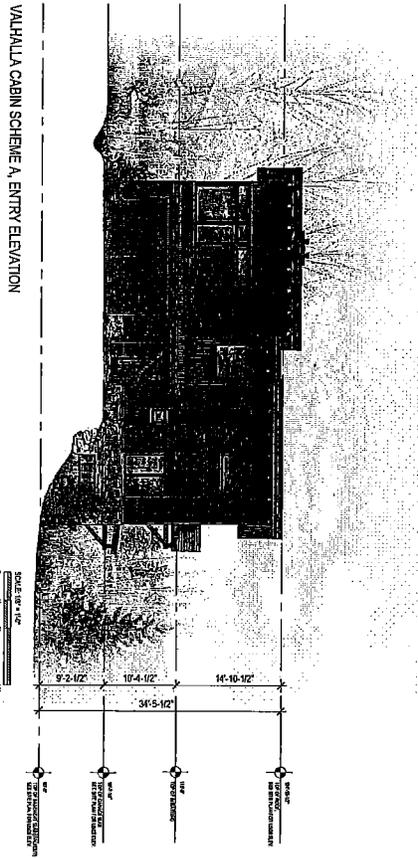
SITE PLAN SUBMITTAL TRACT S

SILVERTHORNE, COLORADO 80498

CLARENCE/COB11-175W
 2199 E 7TH AVENUE
 DENVER, COLORADO 80202
 CHANE/INDICOM

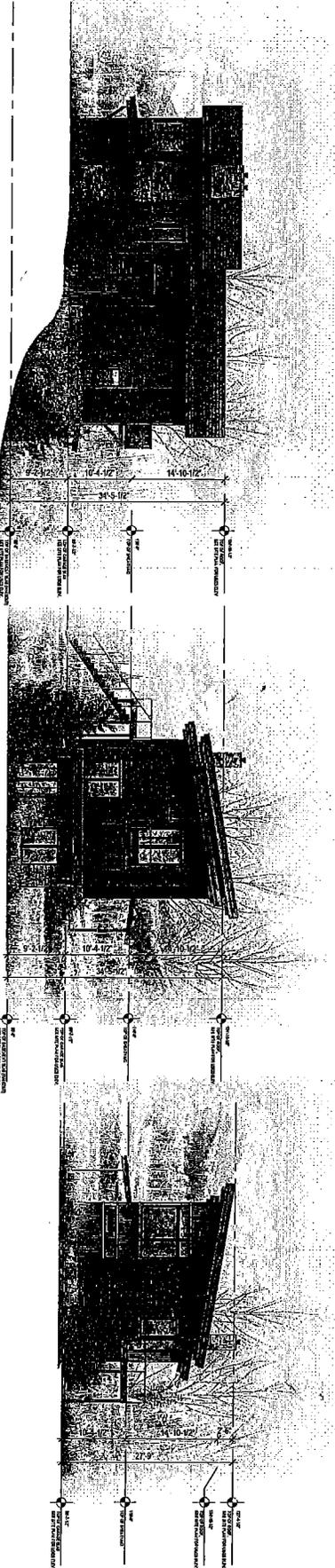
OWNER:
 EBERS LAND
 550 JONES AVE
 SILVERTHORNE, CO
 80498
 970-582-5591

DATE:	
FINAL SUBMITTAL:	02/21/18
SHEET TITLE:	
TRACT S	
SHEET NUMBER:	



VALHALLA CABIN SCHEME A, ENTRY ELEVATION

SCALE: 1/8" = 1'-0"



VALHALLA CABIN SCHEME A, REAR ELEVATION

SCALE: 1/8" = 1'-0"

VALHALLA CABIN SCHEME A, SIDE ELEVATION

SCALE: 1/8" = 1'-0"

VALHALLA CABIN SCHEME A, SIDE ELEVATION

SCALE: 1/8" = 1'-0"

- VALHALLA SCHEME A, COLOR PALETTE
- ASPHALT SHINGLES
 - HERITAGE PREMIUM RUSTIC BLACK
 - HORIZONTAL SPLIT LOGS
 - CEDAR TRIM AND PAGON, DUNEDON TOBAC
 - DARK GRAY SERRASOLD STAIN
 - DARK BRONZE
 - CHG FLAT LOCK METAL SINK
 - ARK KROSS S[®]
 - STONE VARIER
 - HARD ALUMINUM CLAD WINDOWS
 - JET BLACK

NOT FOR CONSTRUCTION

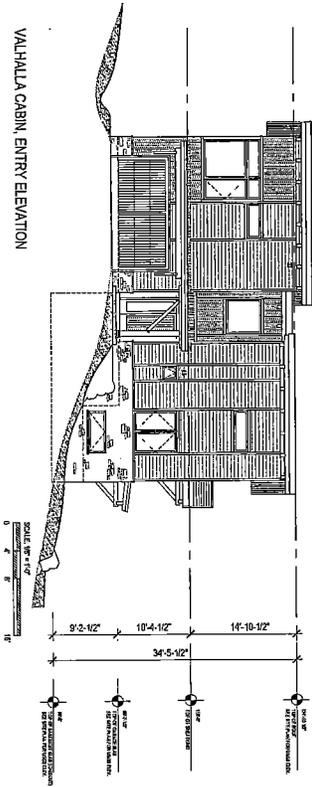
SITE PLAN SUBMITTAL TRACT S

SILVERTHORNE, COLORADO 80498

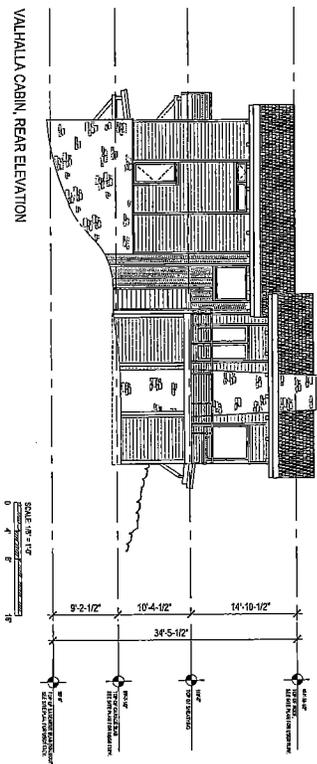
2100 E. 17th Avenue
Denver, CO 80202
CHAMBERSARCH.COM

OWNER:
BROWN LAND
KENTON LAND
555 ADAMS AVE
SILVERTHORNE, CO
80498-2991

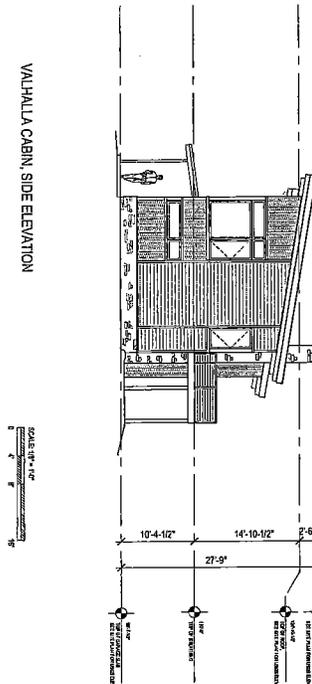
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PROJECT TITLE:	TRACT S
SHEET NUMBER:	



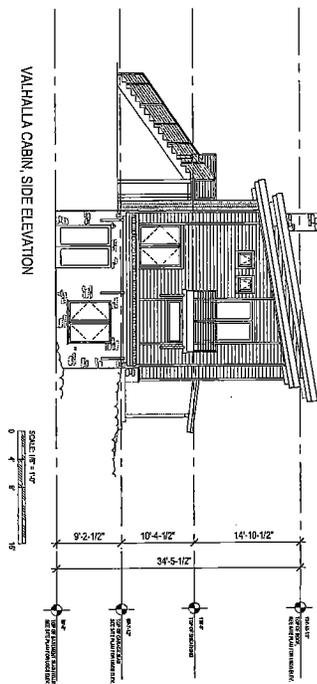
VALHALLA CABIN, ENTRY ELEVATION



VALHALLA CABIN, REAR ELEVATION



VALHALLA CABIN, SIDE ELEVATION



VALHALLA CABIN, SIDE ELEVATION

NOT FOR CONSTRUCTION

DATE:	
FINAL SUBMITTAL:	
DATE:	03/27/2018
SHEET TITLE:	
TRACTS:	
SHEET NUMBER:	

OWNER:
EVERETT LAND
RESOURCES, LLC
SILVERTHORNE, CO
80488
970-582-5911

SITE PLAN SUBMITTAL TRACT S

SILVERTHORNE, COLORADO 80488

2150 E. 17th Avenue
Denver, Colorado 80208
CHANNESRCHI.COM

CHANNESRCHI.COM

Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager *RH*
FROM: Mark Leidal, Assistant Town Manager *tal*
DATE: July 21, 2016, for meeting of July 27, 2016
SUBJECT: Bakers Brewery ESTIP Agreement Amendment

SUMMARY: Stephanie Sadler, with Baker's Brewery, has submitted a letter requesting that the Town Council consider extending the Enhanced Sales Tax Incentive Program (ESTIP) Agreement requirement for the installation of a grain silo. (Please see the attached letter from Stephanie Sadler for further information.)

BACKGROUND: Town Council approved an ESTIP Agreement for the Baker's Brewery on November 12, 2014. The agreement was for \$225,000 to be paid back over a period of 7 years. As part of the approval, Town Council requested the following language be included in the ESTIP Agreement:

5. **Site Enhancements.** For consideration of this ESTIP Program, the Tenant acknowledges the Town's desire to have the Tenant install a grain silo and enhance the north elevation of the building. The Tenant will enhance the visual quality of the north elevation (including additional painting and trim of the dumpster enclosure, faux painted windows, and flower boxes on the northwest corner) and install a grain silo within eighteen (18) months of the Commencement Date of this ESTIP Agreement. Failure of the Tenant to make these Site Enhancements within the eighteen month (18) period will cause this ESTIP Agreement to be terminated and the Town shall not reimburse any additional ESTIP funds after the 18-month period.

DISCUSSION: The Commencement Date for this Agreement was at the end of February 2015, therefore, the 18-month period would be the end of August 2016. The purpose of the ESTIP Agreement is to help businesses by sharing back a portion of the sales tax generated by the business. Staff finds that granting an additional extension of time to 36 months for installation of the grain silo is reasonable and has prepared an Amendment to the ESTIP Agreement for Town Council consideration.

STAFF RECOMMENDATION: Staff recommends approval of the First Amendment to the Agreement Pursuant to Enhanced Sales Tax Incentive Program for Baker's Brewery.

PROPOSED MOTION: "I move to approve the First Amendment to the Agreement Pursuant to Enhanced Sales Tax Incentive Program for Baker's Brewery."

ALTERNATIVE MOTION: No motion necessary. The proposed amendment would not be approved.

Town of Silverthorne
Council Agenda Memorandum

ATTACHMENTS:

Exhibit A: Letter from Stephanie Sadler

Exhibit B: First Amendment to the Agreement Pursuant to Enhanced Sales Tax
Incentive Program for Baker's Brewery

EXHIBIT A

Dear Town Council and Town of Silverthorne,

Based on Criteria established on our ETISP Agreement approved by the town Council, it is coming up on the day that we are meant to have our grain silo in place. Unfortunately, we aren't quite ready. Fatal optimism is the main criteria for any entrepreneur and we are not exempt. This year we did not get our grant application in on time and we also have had to pay back too much debt this year to be able to pay for the silo. We are requesting an extension on putting in the Silo as per our ESTIP agreement. We are looking for other venues of financing to support this development. We had preliminary silo engineering plans, but decided to send out for an update on the specific plans and other newer bids so that we can more accurately budget for this in the upcoming year.

We have, however, met the other criteria of beautifying the exterior of the building with planting lovely flowers on the south side of the building, painting and fixing up the dumpster area, and we have arranged for painting the north side of the building. Please consider this request and see our attached plans for the silo that we hope to implement as soon as possible.

Thank you,
Stephanie Sadler

**FIRST AMENDMENT TO THE AGREEMENT PURSUANT TO ENHANCED SALES TAX
INCENTIVE PROGRAM**
(The Bakers' Brewery, LLC)

This First Amendment to the Agreement Pursuant to Enhanced Sales Tax Incentive Program (this "Agreement") is made and entered into as of the ____ day of _____, 20__, by and between The Bakers' Brewery, LLC, the operator of The Bakers' Brewery, hereinafter referred to as the "Tenant" and the TOWN OF SILVERTHORNE, COLORADO, hereinafter referred to as the "Town", collectively the "Parties", and each individually, as a "Party".

RECITALS:

Whereas, the Parties entered into an Agreement Pursuant to Enhanced Sales Tax Incentive Program (ESTIP) for The Baker's Brewery on November 12, 2014; and

Whereas, the Parties desire to modify the terms and requirements set forth in Paragraph 5. Site Enhancements, of the original ESTIP agreement.

NOW, THEREFORE, in consideration of the foregoing premises and the covenants, promises, and agreements of each of the Parties hereto, to be kept and preformed by each of them, the Parties agree as follows:

1. Paragraph 5. Site Enhancements, is hereby amended as follows:

5. Site Enhancements. For consideration of this ESTIP Program, the Tenant acknowledges the Town's desire to have the Tenant install a grain silo and enhance the north elevation of the building. The Tenant will enhance the visual quality of the north elevation (including additional painting and trim of the dumpster enclosure, faux painted windows, and flower boxes on the northwest corner) and install a grain silo within ~~eighteen (18) months~~ **thirty-six (36) months** of the Commencement Date of this ESTIP Agreement. Failure of the Tenant to make these Site Enhancements within the ~~eighteen month (18)~~ **thirty-six (36) month** period will cause this ESTIP Agreement to be terminated and the Town shall not reimburse any additional ESTIP funds after the ~~18~~ **36** month period.

2. Scope of Amendment. Except as amended hereby, the Baker's Brewery ESTIP Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, Tenant and Town have each caused this Agreement to be executed by the authorized Parties.

TENANT

The Bakers' Brewery, LLC

By: _____

Name: Cory Forster

Title: Managing Member

State of _____)

County of _____)

ss.

The foregoing Agreement was acknowledged before me this ____ day of _____, 20__, by Cory Forster, as Managing Member of The Bakers' Brewery, LLC.

WITNESS MY HAND AND OFFICAL SEAL.

My Commission expires: _____

NOTARY PUBLIC

TOWN OF SILVERTHORNE

By: _____

Name: Bruce Butler

Title: Mayor

ATTEST:

Name: Michele Miller
Title: Town Clerk

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Silverthorne Arts Board Meeting

Thursday, June 9, 2016

11:45 a.m. - 1:00 p.m.

Silverthorne Town Hall

DRAFT

I. PROCEDURES

1. Call to Order/Roll Call: Ann-Marie opened the meeting at 11:53am
 - a. Approval of Agenda/Roll Call: Derrick Fowler, JoAnne Nadalin
Staff: Joanne Cook, Liz Hodson, Blair McGary
 - b. Absent:
 - c. Guests:
2. Approval of Minutes: Motion to approve Blair McGary, Second JoAnne Nadalin
3. Public Comments:

II. DISCUSSION ITEMS

1. Reports of Officers and Ad Hoc Work Groups
 - a. Poetry/Storytelling Event (Blair)
Blair, Carrie, and Josh B will meet next Thursday to brainstorm for 2016. JoAnne N mentioned that Don Langmuir is a good source for music ideas.
 - b. Sunset at the Summit (Blair, Rob D.)
Meeting held yesterday with all department directors and everything is on track. Joanne C and Blair will get together soon to brainstorm entertainment options. Alcohol will be served by LDTC volunteers with help from Pavilion bartender staff. Media: Press release will go out June 10th, radio ads will begin July 5th. Joanne C asked for ideas for pre-show entertainment. Ideas were Nina Waters, kids related event, and talent show. Rob Lyon/Mountain Lyon Cafe will be the food vendor.
 - c. Construction Wall Art Project (Joanne C., Derrick)
Project went out for bid and SignTech from Frisco, CO was selected. Kelly Mochel, Designer, Fabricator, will be our contact. Website updated and press release will happen June 27, and emails and articles soon. Selection of artists will be week of June 28th. June 29th has been set as a lunch/selection meeting at Town Hall from 11-1pm. Timeline: Kelly will need 2 weeks to arrange the final boards and 1 week to print the vinyl pieces. Installation will take place the last week of July and the Committee will do the install. Joanne C would like to be able to recognize the artists at the final Sunset concert on July 30th.

d. Theatre Mural (All)

This project has been brought up to Council, but a meeting to discuss has not yet been set. Joanne C will get with Laura Kennedy for funding direction. Ann-Marie is meeting with Brian Edney and Eddie O'Brien in the morning to discuss ideas and will report back at next month's meeting.

e. SPAC Grand Opening (Blair, JoAnne N., LDTC, BAPR)

No meeting has been set up yet.

f. SPAC Lobby Programming and Displays (Joanne C., Ann-Marie)

Artspace.com, a consulting firm from MN, a potential outlet to contact local artists, has opened an office in Denver and Ann-Marie and Joanne C. will set up a time to meet with them.

g. Farmer's Markets and Café Concerts (Blair, JoAnne N.)

The first Farmer's Market will be located near the Farm Stand and Higgles Ice Cream. Blair, JoAnne N., and Rob D have met to discuss more vendor options, enhancing the market with entertainment, food vendors, and possibly logo wear.

III. OLD BUSINESS

1. By-laws passed and members approved by Council.
2. 501C3 – Ann-Marie and Eddie O'Brien are pursuing.
3. Website – In progress but may not see upgrade until the end of summer.

IV. NEW BUSINESS

- a. Update to Council on Tuesday, June 7, recap
Joanne C updated Council on the new Art Committee and the intentional goals for the next 5 years. Joanne C asked the Council to consider Arts and Culture at their budget retreat next week. JoAnne and Derrick said they would make an effort to discuss at the retreat.

V. ADJOURNMENT

Motion to adjourn at 1:20pm JoAnne Nadalin, second Derrick Fowler.

ACTION LIST



**TOWN OF SILVERTHORNE
PLANNING COMMISSION MEETING MINUTES
JULY 19, 2016 – 6:00 P.M.**

1. CALL TO ORDER – The meeting was called to order at 6:00 p.m., July 19, 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: Donna Pacetti, Jen Stachelski, Mike Bohlender, Jenny Gloudemans, Brian Wray and Jess Nelsen. Glen Anderson, Susan Byers and Tim Nolan were absent. Staff attending tonight's meeting included: Matt Gennett, Planning Manager, and Melody Hillis, Planning Commission Secretary.

3. CONSENT CALENDAR – Donna Pacetti made a motion to approve the July 5, 2016, Planning Commission minutes. Jen Stachelski seconded. The motion was approved by a vote of six to zero (6-0). Glen Anderson, Susan Byers and Tim Nolan were absent.

4. CITIZEN COMMENTS:

None.

5. ACTION ITEM:

A. Final Site Plan, Tract S, South Maryland Creek Ranch – Filing No. 1 / 28585 State Highway 9.

Matt Gennett, Planning Manager presented the project. The Applicant, Tom Everist, South Maryland Creek Ranch, LLC, is requesting Final Site Plan approval for six single family cabin style homes to be located on Tract S.

COMMISSIONER QUESTIONS:

- Mike Bohlender - Asked a question about the difference between the Preliminary Site Plan and Final Site Plan review and procedure.
- Matt Gennett - Explained the process and how changes are handled between the two.
- Brian Wray - Sometimes the minutes from the Town Council minutes can answer questions if changes are requested.
- Jen Stachelski - Questioned the lack of lighting in the Final Site Plan.
- Matt Gennett - The lighting details and specifications are submitted with the building permit review for each home.
- Jen Stachelski - On the sewer line appears to be coming out of the ground at a right angle, is that correct.
- Matt Gennett - There were no comments from our Town Utilities Manager or the Town Engineer about this Final Site Plan.

APPLICANT COMMENTS:

- Joanna Hopkins - Representing the Applicant, South Maryland Creek Ranch. Gave the history of the project, particulars about the site, amenities provided, architecture, etc. Explained the lighting on the site. Requested approval.
- Brian Wray - The renderings shown are winter scenes, look bleak and dark, is there a reason for that.

Joanna Hopkins - We always show the worst-case scenario for the season. We being the planners and architects.

PUBLIC COMMENT OPENED:

None.

PUBLIC COMMENT CLOSED

COMMISSIONER COMMENTS:

Jess Nelsen - Nice landscaping, glad to see it going in now.
Jen Stachelski - Nice project.
Donna Pacetti - Excited, looks great.
Mike Bohlender - Nice.
Jenny GlouDEMANS - Looks good.
Brian Wray - Good project.

JENNY GLOUDEMANS MADE A MOTION TO APPROVE THE FINAL SITE PLAN FOR TRACT S, SOUTH MARYLAND CREEK RANCH – FILING NO. 1.

DONNA PACETTI SECONDED.

MOTION PASSES BY A VOTE OF SIX TO ZERO (6-0). GLEN ANDERSON, SUSAN BYERS AND JENNY GLOUDEMANS WERE ABSENT.

6. OTHER ITEMS:

Matt Gennett informed Planning Commission that Blue Shores, LLC (Silver Trout) was passed by a vote of six to one.

Jenny GlouDEMANS asked about Blue Shores, LLC. Matt Gennett informed Planning Commission that the Preliminary Site Plan was approved by the Town Council. Mike Bohlender asked if there was any resolution between the Applicant and Mrs. Boatman. Matt Gennett stated that the Applicant and Mrs. Boatman continue to work on a resolution.

Mike Bohlender asked whether Planning Commission sees Conditional Use Permits. Matt Gennett explained the Conditional Use Permit process.

Mike Bohlender asked if there was a way to redo the Staff reports for historical purposes and not have as much information. Matt Gennett explained the reasons for the current format. Mike Bohlender asked if a different format could be used in the future.

Jess Nelsen asked if a map with locations could be made of the current and future projects for informational purposes.

Donna Pacetti asked what was happening with Angry James Brewery. Matt Gennett stated that the building permit has been issued and construction is underway.

Donna Pacetti asked what was happening on the Smith Ranch property. Matt Gennett explained that the Smith Ranch is being used for weddings that have been relocated from the Town Pavilion. There is not a current project proposed at this time. Jen Stachelski asked if the Town had ever thought about using a land trust, and explained the process. Matt Gennett stated that land trusts are a useful tool, but doesn't know if that has been discussed.

Mike Bohlender asked about the new lawsuit against the Town. Matt Gennett explained the history and current actions.

7. ADJOURNMENT:

DONNA PACETTI MADE A MOTION TO ADJOURN AT 6:35 P.M.

MIKE BOHLENDER SECONDED.

MOTION PASSES BY A VOTE OF SIX TO ZERO (6-0). GLEN ANDERSON, SUSAN BYERS AND JENNY GLOUDEMANS WERE ABSENT.

Submitted for approval by:

Approved this 2nd, August 2016.

Melody Hillis, Planning Commission Secretary

Brian Wray, Planning Commission Chairman

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

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Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Laura Kennedy, Finance and Administrative Services Director *LK*
FROM: Kathy Marshall, Revenue Administrator *KM*
DATE: July 21st for meeting of July 27th, 2016
SUBJECT: May 2016 Sales Tax Review

SUMMARY:

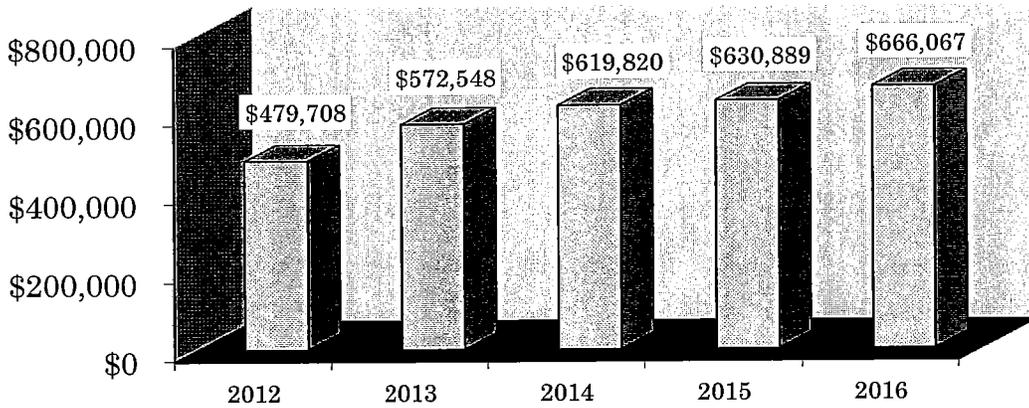
The following reports summarize May sales taxes collected in June. The State remitted the Town's 2% county taxes from May sales on July 12th, 2016.

MANAGER'S COMMENTS:

**SILVERTHORNE SALES TAX BY MONTH
FOR MAY 2016 SALES**

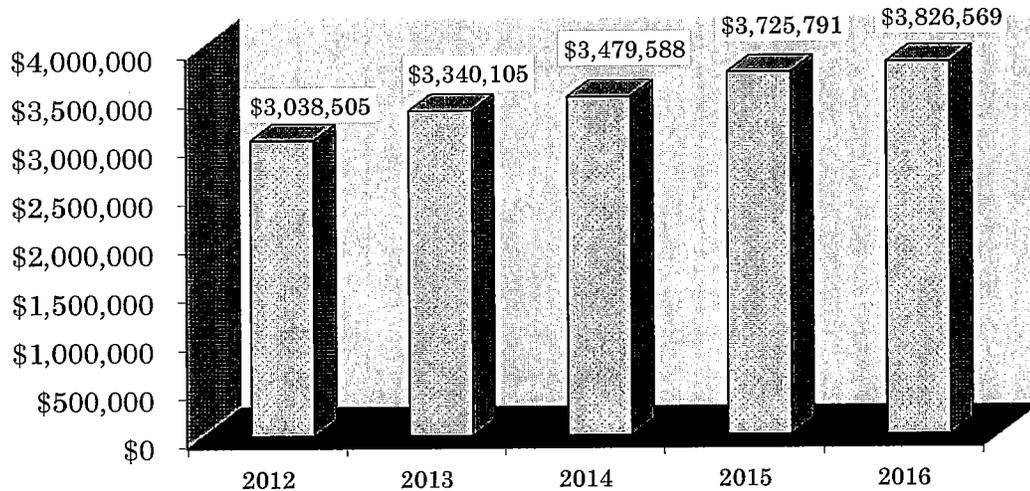
CHART A:	2012	11-12	2013	12-13	2014	13-14	2015	14-15	2016	15-16
MONTH		% CHANGE		% CHANGE		% CHANGE		% CHANGE		% CHANGE
JAN	613,612	6.96%	705,712	15.01%	691,694	-1.99%	765,758	10.71%	766,848	0.14%
FEB	595,268	-0.19%	639,591	7.45%	682,500	6.71%	713,637	4.56%	763,151	6.94%
MARCH	718,051	-5.10%	830,399	15.65%	879,003	5.85%	960,756	9.30%	984,257	2.45%
APRIL	631,867	32.14%	591,855	-6.33%	606,570	2.49%	654,752	7.94%	646,245	-1.30%
MAY	479,708	4.30%	572,548	19.35%	619,820	8.26%	630,889	1.79%	666,067	5.58%
JUNE	695,673	-1.23%	822,224	18.19%	869,150	5.71%	934,593	7.53%		
JULY	774,222	4.04%	866,950	11.98%	890,855	2.76%	957,634	7.50%		
AUG	773,019	8.98%	827,646	7.07%	893,121	7.91%	932,217	4.38%		
SEPT	782,144	13.66%	796,857	1.88%	836,747	5.01%	935,275	11.78%		
OCT	595,102	14.49%	644,447	8.29%	680,653	5.62%	725,760	6.63%		
NOV	635,360	0.06%	701,380	10.39%	713,747	1.76%	760,614	6.57%		
DEC	866,971	-2.10%	983,997	13.50%	1,065,155	8.25%	1,201,862	12.83%		
YTD TTL:	8,160,996		8,983,606		9,429,015		10,173,746		3,826,569	
%CHANGE FROM YEAR TO YEAR:		5.29%		10.08%		4.96%		7.90%		2.70%

EXHIBIT 1A: SALES TAXES COLLECTED MAY



%CHANGE FROM PRIOR MONTH	2012	2013	2014	2015	2016
	4.30%	19.35%	8.26%	1.79%	5.58%

EXHIBIT 1B: YTD SALES TAX COLLECTIONS AS OF MAY 2012-2016



%CHANGE FROM PRIOR YEAR	2012	2013	2014	2015	2016
	6.06%	9.93%	4.18%	7.08%	2.70%

Exhibit IA & Exhibit IB show the Town of Silverthorne's collections by month and year-to-date (YTD) for the years 2012-2016, with the following results:

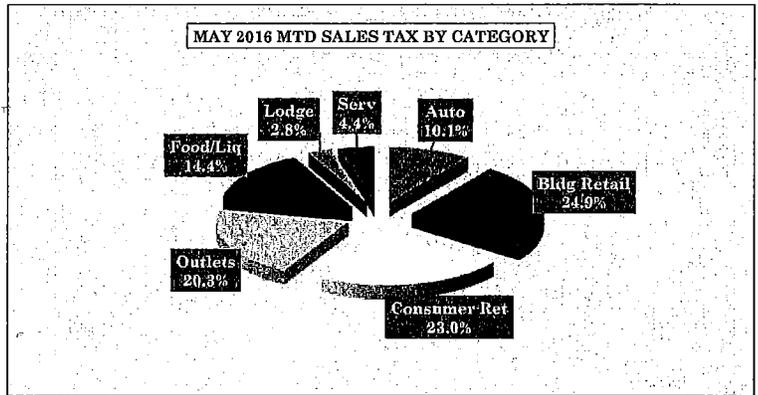
May 2016 sales tax collections increased by \$35,178 or 5.58% over 2015.

2016 YTD collections increased \$100,778 or 2.70% over 2015 collections.

SALES TAX BY CATEGORY

EXHIBIT IIA: MAY SALES TAX BY CATEGORY

Category	2015	2016	\$Inc/(Dec)	% Inc/(Dec)
Auto	\$53,967	\$66,987	\$13,020	24.13%
Bldg Retail	\$155,119	\$166,019	\$10,900	7.03%
Consumer Ret	\$144,118	\$153,178	\$9,061	6.29%
Outlets	\$140,685	\$135,537	(\$5,148)	-3.66%
Food/Liq	\$95,614	\$96,090	\$476	0.50%
Lodge	\$12,461	\$18,956	\$6,495	52.12%
Serv	\$28,926	\$29,301	\$375	1.30%
TOTAL	\$630,889	\$666,067	\$35,178	5.58%



The Outlets category decreased \$5,148 or minus 3.66% when compared with May 2015; YTD is down \$117,172 or minus 12.40%; The results by Phase are as follows:

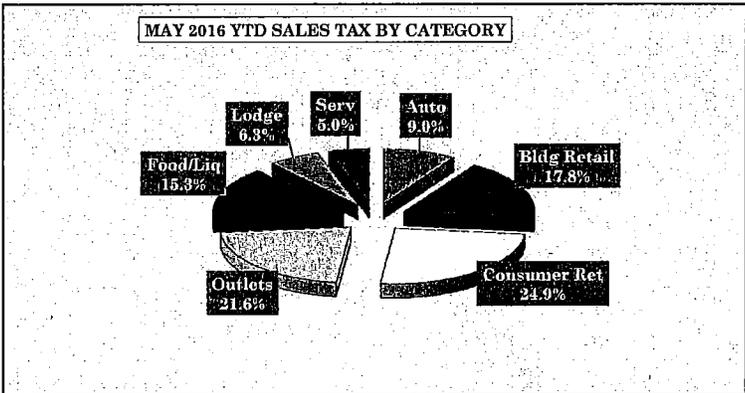
- ▶ Phase I is up \$1,902 or 4.21%. YTD is down \$11,819 or minus 3.83%.
- ▶ Phase II is down \$2,469 or minus 3.49%. YTD is down \$60,813 or minus 12.96%.
- ▶ Phase III is down \$4,581 or minus 18.46%. YTD is down \$44,540 or minus 26.57%.

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

- ▶ The Building Retail category contributes the highest May collections, or 24.9% and the 3rd highest YTD collections, 17.8%.
- ▶ The Consumer Retail category, May's 2nd largest sales tax category, contributed 23.0%; YTD 24.9%.

EXHIBIT IIB: MAY YTD SALES TAX

Category	2015	2016	\$Inc/(Dec)	% Inc/(Dec)
Auto	\$302,861	\$344,564	\$41,703	13.77%
Bldg Retail	\$647,440	\$682,949	\$35,509	5.48%
Consumer Ret	\$915,009	\$953,065	\$38,056	4.16%
Outlets	\$945,052	\$827,881	(\$117,172)	-12.40%
Food/Liq	\$556,224	\$586,140	\$29,915	5.38%
Lodge	\$172,615	\$241,539	\$68,925	39.93%
Serv	\$186,590	\$190,431	\$3,841	2.06%
TOTAL	\$3,725,791	\$3,826,569	\$100,778	2.70%



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

- ▶ The Auto category had the highest April dollar increase, \$13,020 or 24.13%; YTD up \$41,703 or 13.77%.
- ▶ The Building Retail category had the 2nd highest April dollar increase, \$10,900 or 7.03%; YTD up \$35,509 or 5.48%.
- ▶ The Service category was up \$375 or 1.30%; YTD up \$3,841 or 2.06%.

Outlets at Silverthorne (OS):

- ▶ **Phase I aka Red Village:**
Aeropostale closed due to bankruptcy at the end of June. Zales will be closing their store at the end of July. Fanzz Athletic Sports Apparel has signed a lease and will be starting construction in August with a tentative opening in October. They will be located next to Eddie Bauer. Traffic has been flat.
- ▶ **Phase II aka Blue Village:**
Twisted Trails Running Company opened their new store at the end of June. Sales have been brisk. Their store signage has been delayed. Better traffic and sales are anticipated once their store's front sign is installed. Their Grand Opening will be announced soon. The Blue Village is now 100% leased. The Summer Concert Series on weekends has been well received. Customers are enjoying the free concerts.
- ▶ **Phase III aka Green Village:**
Carters has opened in their new location, next to OshKosh. Sales have been strong. Their Grand Re-Opening will be announced soon. Green Village can be considered 100% leased with the 309 Building being decommissioned from leasing at this point. Traffic numbers are up double digits in the Green Village consistently.

May sales were up double digits. OS has some leasing prospects that plan to visit OS in August. Steve Craig will most likely be joining these visits. OS Maintenance Department has been busy making improvements around OS, including new bridges in the Blue Village, landscaping, repairs to concrete and asphalt, painting and new signage.

SALES TAX COLLECTIONS: ACTUAL VS. BUDGET 2016 YTD

EXHIBIT III-ACTUAL VS. BUDGET TABLE

SALES MONTH	2016		2016		ACTUAL AS % OF 2016 BUDGET YTD
	BUDGET BY MONTH	ACTUAL BY MONTH	BUDGET YTD	ACTUAL YTD	
JAN	\$769,059	\$766,848	\$769,059	\$766,848	99.71%
FEB	\$768,028	\$763,151	\$1,537,087	\$1,529,999	99.54%
MAR	\$996,304	\$984,257	\$2,533,391	\$2,514,256	99.24%
APR	\$684,450	\$646,245	\$3,217,841	\$3,160,502	98.22%
MAY	\$631,328	\$666,067	\$3,849,169	\$3,826,569	99.41%
JUNE	\$893,504		\$4,742,673		0.00%
JULY	\$978,121		\$5,720,794		0.00%
AUG	\$937,212		\$6,658,006		0.00%
SEPT	\$926,204		\$7,584,210		0.00%
OCT	\$729,165		\$8,313,374		0.00%
NOV	\$790,155		\$9,103,529		0.00%
DEC	\$1,141,065		\$10,244,594		0.00%

► The budget numbers are based on a 0.7% increase from 2015 sales tax revenues of \$10,173,746

LODGING TAX COLLECTIONS: 2013-2016 COMPARISONS

EXHIBIT IV-LODGING TAX TABLE

LODGING TAXES	2013		2014		2015		2016		2015/2016	
	Amount Collected	% Change	Amount Collected	% Change	Amount Collected	% Change	Amount Collected	\$ Change	% Change	
Jan	14,022	14.2%	17,109	22.0%	20,089	17.4%	28,351	8,261	41.1%	
Feb	14,652	7.2%	17,751	21.2%	20,859	17.5%	30,836	9,977	47.8%	
Mar	23,772	8.3%	28,315	19.1%	31,748	12.1%	41,922	10,174	32.0%	
Apr	6,758	32.0%	7,504	11.0%	8,628	15.0%	12,404	3,776	43.8%	
May	4,915	-5.8%	5,737	16.7%	5,790	0.9%	9,728	3,938	68.0%	
June	9,524	3.6%	9,792	2.8%	12,041	23.0%			0.0%	
July	12,655	8.0%	14,841	17.3%	18,070	21.8%			0.0%	
Aug	12,251	11.6%	13,611	11.1%	14,213	4.4%			0.0%	
Sept	10,613	9.7%	11,651	9.8%	12,943	11.1%			0.0%	
Oct	6,134	4.8%	6,928	13.0%	7,630	10.1%			0.0%	
Nov	6,841	15.0%	6,918	1.1%	6,400	-7.5%			0.0%	
Dec	19,283	26.4%	20,436	6.0%	29,310	43.4%			0.0%	
TOTAL	141,419	11.5%	160,594	13.6%	187,720	16.9%	123,242	36,128	41.5%	

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

EXCISE TAX COLLECTIONS: 2013-2016 COMPARISONS

EXHIBIT V-EXCISE TAX TABLE

EXCISE TAXES	2013		2014		2015		2016		2015/2016		2016	
	Amount Collected	% Change	Amount Collected	% Change	Amount Collected	% Change	Amount Collected	\$ Change	% Change	Total Sq. Footage	New Res. Permits	New Res. Permits
Jan	0	-100.0%	15,944		6,920	-56.6%	17,008	10,088	145.8%	8,504	1	5
Feb	10,824	-19.8%	6,514	-39.8%	11,872	74.6%	32,962	21,590	189.9%	16,481	2	4
Mar	209,452		0	-100.0%	26,374		67,572	41,198	156.2%	33,786	4	9
Apr	20,856	16.9%	0	-100.0%	34,116		184,482	150,366	440.7%	92,241	6	25
May	42,286	-2.0%	38,256	-9.5%	21,232	-44.5%	56,990	35,758	168.4%	28,495	2	8
June	18,840	423.3%	8,880	-52.9%	28,290	218.6%	77,074	48,784	172.4%	38,537	3	10
July	32,024	322.5%	39,868	24.5%	61,442	54.1%			0.0%	0	7	
Aug	16,056	-13.8%	17,974	11.9%	54,962	205.8%			0.0%	0	6	
Sept	22,836		37,890	65.9%	33,968	-10.4%			0.0%	0	4	
Oct	12,412	80.1%	30,636	146.8%	26,912	-12.2%			0.0%	0	3	
Nov	10,896		6,668	-38.8%	37,426	461.3%			0.0%	0	5	
Dec	12,854	25.1%	28,702	123.3%	7,424	-74.1%			0.0%	0	1	
TOTAL	409,336	217.1%	231,332	-43.5%	350,438	51.5%	436,088	307,784	239.9%	218,044	44	61