

**SILVERTHORNE TOWN COUNCIL MEETING
AGENDA FOR OCTOBER 12, 2016- 6:00 PM**



- I. CALL TO ORDER/ROLL CALL/APPROVAL OF AGENDA**
- II. PLEDGE OF ALLEGIANCE**
- III. STAFF COMMENTS 1**
- IV. COUNCIL COMMENTS**
 - A. Citizens Commendation
- V. CITIZENS' COMMENTS***
- VI. CONSENT CALENDAR**
 - A. Town Council Meeting Minutes, September 28, 2016 7
 - B. Resolution 2016-28; a Resolution Awarding the Silverthorne/Dillon JSA Blue River 2016 WWTP Pretreatment Improvements Project to Water Technology Group..... 11
- VII. LIQUOR BOARD**
 - A. 7-Eleven Store 23963A – Renewal of 3.2% Liquor License 15
- VIII. PUBLIC HEARINGS**
 - A. Minor Subdivision and Final Site Plan, Blue River Flats – 1056, 1088 and 1130 Blue River Parkway, Lots 23R and 25, Silverthorne Subdivision #1, and an Unplatted Tract described in Warranty Deed – Record No. 633874..... 19
- IX. DISCUSSION ITEMS**
- X. INFORMATIONAL**
 - A. Planning Commission Meeting Minutes, October 4, 2016 117
 - B. SPORT Meeting Minutes, September 15, 2016..... 121

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:**

**OCTOBER 11, 2016 – 5:30 P.M.
SAFETY TRAINING, 2017/2018
BUDGET FOLLOW UPS**

**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.

OCTOBER 25	SCHA MASTER LEASE PROGRAM/CAMPING AND PANHANDLING ORDINANCE DISCUSSION
NOVEMBER 8	OPEN
DECEMBER 13	WORKFORCE HOUSING
JANUARY 10	JOINT MEETING WITH PLANNING COMMISSION
JANUARY 24	JOINT MEETING WITH SPORT
FEBRUARY 7	JOINT MEETING WITH EDAC

**FUTURE WORK SESSION DISCUSSION ITEMS:
HISTORIC SOCIETY**

October 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
		Planning Commission			7:00 a.m. Coffee With A Cop— Starbucks	
9 Pumpkin Fest— Rainbow Park	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					

November 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	1 EDAC Meeting	2	3	4	5
		Planning Commission				
6	7	8	9	10	11	12
		Work Session	Council Meeting		Payroll	
13	14	15	16	17	18	19
			Court	Celebrations Around the World—Pavilion		
				SPORT Meeting		
20	21	22	23	24	25	26
				Rec Center Closed	Payroll	
				TOS Holiday—Thanksgiving		
			No School			
27	28	29	30			

December 2016

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3 Holiday Bazaar— Pavilion
4	5	6	7	8	9	10
		Planning Commission			Payroll	
11	12	13	14	15	16	17
		Work Session	Council Meeting		Country Western Dance—Pavilion	
18	19	20	21	22	23	24
			Court	SPORT Meeting	Payroll	Rec Center Holiday Hours—7:00 a.m.— 6:00 p.m.
25	26	27	28	29	30	31
TOS Holiday/Rec Center Closed	TOS Holiday				TOS Holiday	Rec Center Holiday Hours—7:00 a.m.— 6:00 p.m.

January 2017

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
Rec Center Hours: 10:00 am—6:00 pm	TOS Holiday	Planning Commission			Summit Music and Arts New Year Concert - Pavilion Payroll	
8	9	10	11	12	13	14
		Work Session	Council Meeting			
15	16	17	18	19	20	21
		Planning Commission	Court	SPORT Meeting	Country Western Dance—Pavilion Payroll	
22	23	24	25	26	27	28
		Work Session	Council Meeting			Brewers Rock for Rescue Beer Fest— Pavilion
29	30	31				
		Planning Commission				

Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager *R.H.*
FROM: Susan Schulman, Executive Assistant to the Town Manager *SS*
DATE: October 7, 2016 for Meeting of October 12, 2016
SUBJECT: Staff Comments

Attached please find the Staff Comments and Updates for the October 12, 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 – October 7, 2016

Administration – The Council Non-Profit Grant Committee of Russ Camp, Derrick Fowler and Tanya Shattuck will meet on October 11 to review the 2017 requests, which get all-Council approval during the budgeting season in October. Town Council typically has \$36,000 allocated to this program annually.

Unused EDAC Business Grant Funds of \$10,000 were offered to the community and 5 applications were received. The EDAC Executive Committee reviewed applications on Tuesday, September 20 and will present their recommendations to Council at the September 27 Work Session. Two recipients were announced: The Bakers' Brewery and Studio B Dance Center. Both companies were awarded funds for outdoor signage.

The Bear Strong Bolt 5k, in partnership with Silverthorne Elementary School, and in conjunction with Colorado Cities and Towns Week was held at 10:00 a.m. on September 24th at Rainbow Park. Many local businesses stepped up to support this fundraiser for the school, including Xcel Energy, Summit County Chamber of Commerce – Silverthorne Chapter, Red Buffalo Coffee and Tea, and Studio B Dance Center. The event was well attended and a big success!

Finance – Budget process update: a few items will be revisited in the October 11 work session (5A Housing Fund budget and LDTC programming). The 2017/2018 budget is scheduled for first reading on October 26 and 2nd reading on November 9th.

Other Items: 3rd quarter Water and Sewer billing is being processed with an insert regarding the upcoming sign code community meeting. Business License renewal notices will be sent out at the end of October/beginning of November. An insert is planned with "Good Neighbor" information referencing existing Town Code with regards to noise, trash, parking, and other nuisances which have been troublesome with short term rentals. The time clock system is being used by the Administration Department. Directors will be the next group to go "live" followed by the Community Development Department.

Human Resources – Negotiations continue with one of our top two candidates for the open JSA Operator position. The Town Mechanic position was been re-posted locally, via the internet and at trade schools; no applications were received. Several Public Safety positions remain open and will continue to be advertised. Interviews for the HR Manager position are scheduled for October 10th. We had numerous qualified candidates and hope to make a hiring decision soon. The PW Director position is posted and applications will be accepted until October 21st.

The Town will be participating in the Summit Connect Expo & Job Fair scheduled for October 19th from 7:30am to 5pm at the Pavilion.

The annual Flu Shot Clinic is scheduled for 1:30pm–3:30pm October 12th in the Recreation Multi-purpose Room. No reservations necessary!

Annual part-time employee merit reviews are due to HR by October 20th.

HR staff are completing the full-time employee total compensation statements and preparing for benefits Open Enrollment that is scheduled for November 10th.

Public Safety – October 7, 2016

A Sad Case of Animal Abuse - On September 25th, Silverthorne Officers received a call in reference to an animal being abused. Officers responded to the area and located a dog in a vehicle with duct tape wrapped around his mouth. Officers contacted the dog owner, conducted an investigation, and arrested the individual responsible. I am happy to report that the dog is now at the Summit County Animal Shelter (a fine facility.....the equivalent of a Five Star doggy Hilton), and the dog is doing exceptionally well.

Community Outreach - On Friday October 7th, we will be hosting our first ever Coffee with a Cop community outreach. We will start bright an early at 7am at Starbucks in Silverthorne. October 7th is also National Coffee with a Cop day. Our intent is to host several of these events per year at different venues and see what kind of feedback we receive.

Staffing – Currently the Silverthorne Police Department is attempting to hire three officers, we conducted a significant advertising campaign which also included various social media connections. Out of this effort we received two applications. We are currently conducting a background investigation on one other applicant as well. To further this effort, we will be attending some job fairs, and I have also reached also out to the Mesa University Police Academy. The issue of lack of interest in law enforcement appears to be a nationwide phenomenon.

Other Item – KRW Consulting conducted extensive interviews and research on Wednesday September 28th and Thursday the 29th. Further work still needs to be completed, but overall I was impressed by the work conducted thus far. As always, we will keep you informed as we move forward with this project.

Community Development Department – October 6, 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, the Aspen House, and the lift station are also under construction. Staff has been discussing timing of the completion of the Filing 1 public improvements.

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.

Lake Dillon Fire District (LDFD) – We currently have a signed MOU with the Fire District to explore the possibility.

Rainbow Park Entry Redesign – The Planning Commission and the Town Council have approved the plans for the design for the Rainbow Park Entrance.

Sign Code Update – Lina Lesmes has been hosting a Sign Code Update Committee to explore the various aspects of this important update. A Public Meeting has been scheduled for October 13 in the Recreation Center Community Room to solicit resident and business community input.

Summit School District Master Facilities Planning – Mark Leidal was appointed to the North End Advisory Committee for the School District Facilities Master Planning that will be ongoing over the next nine months.

Colorado Housing NOW Conference – Mark Leidal and Lina Lesmes attended various days of the Colorado Housing Conference in Beaver Creek on October 5-7.

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
- South Maryland Creek Ranch Filing 2 – Final Plat
- South Maryland Creek Ranch Tract S – Final Site Plan
- Blue River Flats – Final Site Plan and Minor Subdivision
- Michaud Variance – Lot Coverage variance - Willowbrook

Recreation and Culture Department – October 6, 2016

The pool shutdown is concluding with just a handful of items remaining. Completed items include an expanded mural, tiling around the on-deck shower, a fresh coat of wax on the slides (come try them out while they are “fast”), a new style of palm trees, some hidden treasures such as monkeys and exotic birds, ADA benches in the locker rooms and fresh paint in many areas. The hot tub has also been completely re-plumbed with new jets and air intakes. And, most significantly, behind the scenes there has been an entire pump room upgrade with new filters, pumps, controllers, chemical feeders, and a new configuration that allow us to keep the deep pool at a warmer temperature. Huge kudos go to Paul Kulik, Aquatics Coordinator, for his management of this three week project.

Mark your calendars for Sunday, October 9th as the Silverthorne Pavilion produces the Kaiser Permanente Pumpkin Fest! The event will move to a new location this year, Rainbow Park, from 11:00am to 2:00pm. Pumpkin Fest will feature the same great activities that families have come to expect over the years; a free pumpkin patch for kids to pick the perfect pumpkin, bounce houses, a barrel train, hay rides, petting zoo, pumpkin themed games and activities, the Cave of Confusion, a face painter and much more! This signature community

event is offered at no cost to participants. Hope to see you there!

Stop by the Pavilion on Thursday, October 13th for an evening of Harps and Vibes, featuring Janet Harriman on harp and Jason Rodon on the vibraphone. This event is a part of the Café Concert Series, a free concert series that features an intimate concert setting and laid back atmosphere. There will be a cash bar available and guests are welcome to bring in their own dinner or snacks.

The Silverthorne Pavilion has partnered with Summit Music and Arts to host Spinphony, an electric string quartet that pairs classical music pieces with pop and rock favorites at the Pavilion on Thursday, October 27th. Tickets are \$25 in advance and \$30 at the door and can be purchased on the Summit Music and Arts website. There will be a cash bar available.

Donated a 5-punch Recreation Center pass to the Dillon Valley Elementary School Halloween Carnival. The value of the pass is \$60.

Upcoming Pavilion Events

Oct 6	Wedding
Oct 7	Wedding
Oct 8	Wedding
Oct 9	Wedding
Oct 10	Mindfulness Matters
Oct 13	Café Concert
Oct 14	Wedding
Oct 15	Wedding
Oct 16	Wedding
Oct 17	Mindfulness Matters
Oct 18	Leads
Oct 19	Job Fair, Always Mountain Time
Oct 20	Country Western Dance
Oct 21	Wedding
Oct 22	Wedding
Oct 24	Mindfulness Matters
Oct 25	Yoga
Oct 27	Spinphony
Oct 28	LAPS
Oct 29	Wedding
Oct 31	Mindfulness Matters

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Town of Silverthorne
Council Agenda Memorandum

TO: Town Council
THRU: Ryan Hyland, Town Manager *R.H.*
FROM: Michele Miller, MMC, Town Clerk *mm*
DATE: October 6, 2016
SUBJECT: Town Council Meeting Minutes from September 28, 2016

SUMMARY: Staff asks the Town Council to approve the Regular Town Council Meeting Minutes from September 28, 2016.

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

PROPOSED MOTION: Included in the Consent Calendar motion.

ATTACHMENTS:
Meeting Minutes.

MANAGERS COMMENTS:

SILVERTHORNE TOWN COUNCIL
Meeting Minutes
Wednesday, September 28, 2016

CALL TO ORDER/ROLL CALL/APPROVAL OF AGENDA:

Those members present and answering Roll Call were Mayor Bruce Butler, Council Members, Peggy Long, Russ Camp, Bob Kieber, JoAnne Nadalin and Tanya Shattuck. Derrick Fowler was absent. Staff members present were, Town Manager Ryan Hyland, Chief of Police John Minor, Recreation Director Joanne Cook, Finance Director Laura Kennedy, Assistant Town Manager Mark Leidal, Planner Susan Lee, Town Attorney Matt Mire and Town Clerk Michele Miller.

The Pledge of Allegiance was recited by those present.

STAFF COMMENTS:

Cook updated Council on the upcoming fall events at the Pavilion.

COUNCIL COMMENTS:

Long thanked Town staff members for their efforts during the Recreation Center Annual Shutdown.

CITIZEN COMMENTS:

Jaime Brede, Cycle Effect's Summit Program Director, introduced herself and the Cycle Effect's Program, empowering young women through mountain biking to achieve brighter futures and build stronger communities. Brede introduced Hannah Anderson a young woman participating in the Cycle Effect Program.

Hannah Anderson, Silverthorne resident and Cycle Effect participant, stated she has learned a lot participating in the program and has met a lot of new people. They volunteer their time during the year at community events, aid stations, trail building and FIRC.

CONSENT CALENDAR:

CAMP MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE MINUTES FROM SEPTEMBER 14, 2016. MOTION SECONDED. MOTION PASSED BY COUNCIL PRESENT. (FOWLER ABSENT).

LIQUOR BOARD:

A. **Local Liquors LLC dba Locals Liquors – Renewal of Liquor Store Liquor License**

KIEBER MOVE TO APPROVE LOCAL LIQUORS LLC DBA LOCALS LIQUORS – RENEWAL OF LIQUOR STORE LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED BY COUNCIL PRESENT. (FOWLER ABSENT)

ACTION ITEMS:

A. **Site Plan Modification for Rainbow Park West Entrance**

Susan Lee, Planner II, presented the applicant's Site Plan Modification for the redevelopment of Rainbow Park's western entrance. The Town is proposing upgrading the restroom facility, relocating picnic pavilions, improving to the skate park wall, redesigning the parking lot, and various hardscape improvements.

Mark Wilcox, DHM Design, presented the project by Power Point. He reviewed the public outreach process, existing park site, project goals, neighborhood meetings, concept alternatives and final design.

Council and staff discussed year-round restroom access, feasibility of family restrooms, the skateboard area, BMX bikes, location of the two pavilions and view corridors into the park.

NADALIN MOVED TO APPROVE THE SITE PLAN FOR THE RAINBOW PARK WEST ENTRANCE LOCATED AT 590 RAINBOW DRIVE. MOTION SECONDED. MOTION PASSED BY COUNCIL PRESENT. (FOWLER ABSENT)

DISCUSSION ITEMS:

None.

KIEBER MOVED TO GO INTO EXECUTIVE SESSION AT 6:39 P.M. PURSUANT TO CHARTER SECTION 4.13(c) AND C.R.S. SECTION 24-6-402(4)(b)(e) TO RECEIVE LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS AND TO DEVELOP A STRATEGY AND INSTRUCT NEGOTIATORS REGARDING A TOWN CORE CATALYST SITE AND SOUTH MARYLAND CREEK RANCH SIA.

HE FURTHER MOVED TO ADJOURN THE COUNCIL MEETING AT THE CONCLUSION OF THE EXECUTIVE SESSION. MOTION SECONDED. MOTION PASSED BY COUNCIL PRESENT. (FOWLER ABSENT)

EXECUTIVE SESSION:

Executive Session pursuant to Charter Section 4.13(c) and C.R.S. Section 24-6-402(4)(b)(e) to receive legal advice on specific legal questions and to develop a strategy and instruct negotiators regarding a Town Core Catalyst Site and South Maryland Creek Ranch SIA.

INFORMATIONAL:

- A. Planning Commission Meeting Minutes, September 20, 2016
- B. EDAC Meeting Minutes, September 6, 2016
- C. July 2016 Sales Tax Review

EXECUTIVE SESSION CONCLUDED AND MEETING ADJOURNED AT 7:22 P.M.

BRUCE BUTLER, MAYOR

ATTEST

MICHELE MILLER, TOWN CLERK

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

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Town of Silverthorne
Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager 
Bill Linfield, Public Works Director; Zach Margolis, Utility Manager
FROM: Jason Kruckeberg, JSA Operations Superintendent
DATE: Sep 29th, 2016 for meeting of Oct 12th, 2016
SUBJECT: Consent Item Resolution 2016-28, JSA Blue River 2016 WWTP
Pretreatment Improvements - Bid Award.

SUMMARY:

Solicitations of quotations were initiated in March 2016 for the replacement of the grit classifier in the pretreatment headworks of the Blue River plant. The existing grit classifier was installed in 1996 and has been in continuous service since, running 24/7. The unit is constructed of galvanized steel and has limited resistance to corrosion from water and abrasive wear from the grit passing through the machine. Lifetime expectancy should be around 20-25 years, but the criticality and lack of redundancy require replacement before unit failure. The grit classifier is fed from a cyclone separator of the same installation date, which has begun to shed the internal rubber lining designed to reduce wear from abrasion.

The three quotes were as follows:

Goble Sampson Associates	\$73,000
Water Technology Group (WTG)	\$64,846
Ambiente H2O	\$45,950

BACKGROUND:

The JSA 2016 WASTEWATER TREATMENT PLANT PRETREATMENT IMPROVEMENT PROJECT (Project) consists of two items under a single contract; the cyclone separator that feeds the grit classifier and the grit classifier itself.

PREVIOUS COUNCIL ACTION:

Council has approved \$60,000 for the grit classifier replacement as part of the 2015-2016 asset management plan budget.

DISCUSSION:

JSA Staff have reviewed the contractor's proposals. The proposals from Goble Sampson and Ambiente H2O are over and under the anticipated cost respectively, but the equipment presented in the proposals is larger than the existing unit, making installation difficult and creating barriers to moving other equipment and material in the pretreatment building. As such, these proposals are recommended to be rejected. The remaining proposal from WTG includes equipment much closer in dimensions to the original grit classifier, making installation easier and more congruent with the building layout. The WTG bid is over the original projected cost, but by less than 10%.

Town of Silverthorne
Council Agenda Memorandum

STAFF RECOMMENDATION:

Staff recommends that Council award the JSA Blue River 2016 WWTP Pretreatment Improvements to Water Technology Group, Denver, Colorado.

PROPOSED MOTION:

I MOVE TO APPROVE RESOLUTION 2016-28, A RESOLUTION AWARDING THE JSA 2016 WASTEWATER TREATMENT PLANT IMPROVEMENT PROJECT TO WATER TECHNOLOGY GROUP OF DENVER, COLORADO.

ATTACHMENTS:

Resolution 2016-28

MANAGER'S COMMENTS:

**TOWN OF SILVERTHORNE, COLORADO
TOWN COUNCIL**

RESOLUTION NO. 2016-28

A RESOLUTION AWARDING THE SILVERTHORNE/DILLON JSA BLUE RIVER 2016 WWTP PRETREATMENT IMPROVEMENTS PROJECT TO WATER TECHNOLOGY GROUP, OF DENVER, COLORADO.

WHEREAS, **The Town of Silverthorne**, acting through its Town Council, is the managing agency for the Silverthorne/Dillon Joint Sewer Authority;

WHEREAS, The Town of Silverthorne has funded this project in the 2015-2016 Silverthorne/Dillon Joint Sewer Authority budget;

WHEREAS, The Town of Silverthorne has determined a need for replacement of the grit classifier at the Silverthorne/Dillon Joint Sewer Authority Blue River Treatment Plant within the Town of Silverthorne Colorado;

WHEREAS, The Town of Silverthorne has taken all necessary steps, including any necessary legal bidding requirements under applicable law to determine a qualified contractor;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SILVERTHORNE THAT:

1. The Silverthorne Town Council awards the Silverthorne/Dillon JSA 2016 WWTP Pretreatment Improvement Project to Water Technology Group of Denver, Colorado, for the amount of \$64,846.

2. The Silverthorne Town Manager is authorized to sign a contract, in form approved by the JSA Attorney, between the Silverthorne/Dillon JSA and Water technology Group, for the Pretreatment Improvements Project.

INTRODUCED, READ AND ADOPTED ON THE 12th DAY OF Oct, 2016.

Bruce Butler– Mayor, Town of Silverthorne

Attest:

By _____
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*
FROM: Michele Miller, MMC, Town Clerk *MM*
DATE: September 29, 2016 for meeting of October 12, 2016
SUBJECT: Liquor license renewal for Local Authority Consideration

SUMMARY:

The Liquor Board is asked to approve the liquor license renewal for 7-Eleven, 201 Blue River Parkway.

BACKGROUND:

A. 7-Eleven Store #23963A – Renewal of 3.2% Beer Off Premise Beer Liquor License

The applicant has submitted a renewal application for 7-Eleven. The background investigation completed by the Police Department is attached. The Police Department has verified that the employees who sell liquor have successfully completed the 7-Eleven "Come of Age" alcohol training program, fulfilling the alcohol education requirements of the Town Code. The Police Department recommends renewal of the liquor license.

DISCUSSION:

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

STAFF RECOMMENDATION:

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

PROPOSED MOTION:

I MOVE TO APPROVE 7-ELEVEN STORE #23963A – RENEWAL OF 3.2% BEER OFF PREMISE BEER LIQUOR LICENSE.

ATTACHMENTS:

Liquor license renewal application and Police Department memo.

MANAGERS COMMENTS:



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

DATE: September 18, 2016
TO: Michele Miller
FROM: Officer Anne Baldwin
SUBJECT: Background check for 3.2% retail store liquor license application, GMS2 Inc./7-Eleven Store #23963A

Since their last application, 7-Eleven, located at 201 Blue River Parkway, has not had any alcohol violations on their property.

I have verified all cashiers of 7-Eleven have successfully completed "Come of Age" which is a 3-hour alcohol and tobacco computer-based educational program. This course is required by all nationwide 7-Eleven staff prior to working any register. The successful completion of this program fulfills the Town of Silverthorne alcohol education requirements (TOS 2-8-18).

Based on the background information of the Silverthorne Police Department, we request 7-Eleven be granted their liquor license.

Reviewed by

Chief of Police
John Minor

9-19-2016

Date

**RETAIL LIQUOR OR 3.2 BEER
 LICENSE RENEWAL APPLICATION**

7-ELEVEN STORE 23963A
 7-ELEVEN LICENSING PO BOX 219088
 DALLAS TX 75221

RECEIVED
 JUL 18 2016
 LICENSE DEPT.

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

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

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name GMS2 INC & 7-ELEVEN INC		DBA 7-ELEVEN STORE 23963A		
Liquor License # 4600425	License Type 3.2% Beer Off Premises (city)	Sales Tax License # 29830445	Expiration Date 10/27/2016	Due Date 09/12/2016
Operating Manager Gurpreet Sidhu	Date of Birth 01/30/79	Home Address 11972 Elm Dr. Thornton CO 80233		
Manager Phone Number 720-929-9640	Email Address cheryl.swinford@7-11.com			
Street Address 201 BLUE RIVER PARKWAY SILVERTHORNE CO 80498				Phone Number 9704688537
Mailing Address 7-ELEVEN LICENSING PO BOX 219088 DALLAS TX 75221				

- Do you have legal possession of the premises at the street address above? YES NO
 Is the premises owned or rented? Owned Rented* *If rented, expiration date of lease 05-31-18
173. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. YES NO
NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. YES NO
- Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.
 YES NO (list in Clerk's Office)
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. YES NO

AFFIRMATION & CONSENT

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

Type or Print Name of Applicant/Authorized Agent of Business Cheryl Swinford	Title AP Supervisor
Signature <i>Cheryl Swinford</i>	Date 090814

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY

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

Local Licensing Authority For		Date
Signature	Title	Attest

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Town of Silverthorne
Town Council Agenda Memorandum

TO: Mayor and Town Council
THRU: Ryan Hyland, Town Manager
Mark Leidal, AICP, Assistant Town Manager
FROM: Lina Maria Lesmes, AICP, Senior Planner *LMC*
DATE: October 6, 2016, for meeting of October 12, 2016
SUBJECT: Minor Subdivision, Final Site Plan, and Subdivision Improvements Agreement for Blue River Flats (PT 2016-5)

SUMMARY: The applicant is requesting approval of a Minor Subdivision, Final Site Plan, and SIA to combine three existing parcels, modify easements, and construct 46 condominium units in five, 3-story buildings at 1056, 1088, and 1131 Blue River Parkway. The three parcels are currently developed with three single family residences.

BACKGROUND: The applicant, Blue River 50, LLC, purchased Lots 23R, 25, Silverthorne Subdivision #1, and the unsubdivided tract, on August 17, 2015. It is his intent to develop the parcels as a high-density residential project with 46 condominiums in 5 buildings, located adjacent to the Blue River. Parking for the project is composed of surface parking, understructure garage parking, and separated garage parking. Two access points are proposed from HWY 9, and connected via an internal drive.

PREVIOUS COUNCIL ACTION: The plat of the Silverthorne Subdivision #1 was approved in 1957. On January 22, 2003, Town Council denied a Sketch PUD, Subdivision, and Site Plan for a mixed-use project entitled 'Sapphire Plaza' proposed on Lots 23 and 24, Silverthorne Subdivision #1. On March 24, 2004, Town Council approved a lot line vacation between Lots 23 and 24, Silverthorne Subdivision #1, creating Lot 23R.

Town Council approved a Final Commercial Subdivision, Final Site Plan, and Wetland Disturbance Permit for Sapphire Plaza III on December 10, 2008. The project consisted of 17 residential units and 4,543 square feet of commercial space on the three parcels in the subject application. The approval expired for lack of action in 2009.

On June 22, 2016, Town Council approved the Blue River Flats Preliminary Site Plan with 16 conditions that were to be addressed with the submittal of the Final Site Plan.

DISCUSSION: Staff finds that the proposed Minor Subdivision and Subdivision Improvements Agreement meet all the requirements of Section 4-5-11. In addition, Staff finds that the Final Site Plan for Blue River Flats meets several of the goals and polices set forth in the Comprehensive Plan. The proposal also meets the applicable use, density, lot frontage, lot coverage, and setback requirements of the Riverfront Zone District.

Staff also finds that the parking, landscaping, snow storage, wetlands, and dumpster requirements detailed in Chapter 4 of the Town Code are being addressed. Conditions of approval are recommended to meet the landscaping and lighting standards. The floodplain development standards detailed in Chapter 3 are being addressed with the proposal. Lastly, Staff finds that all the standards of the Riverfront District Design Standards and Guidelines are met with conditions.

PLANNING COMMISSION RECOMMENDATION: On October 4, 2016, by a vote of 6-0, the Planning Commission voted to recommend approval of the Minor Subdivision and Final Site Plan for Blue River Flats with the following conditions:

Conditions:

1. That the Landscape Plan be modified to meet the required ratio of 50% coniferous trees and 50% deciduous trees, with the submittal of the building permit
2. That the Lighting Plan be revised such that all pole mounted light fixtures are on the property and setback at least as far as their heights from the property lines.
3. That a Real Estate Transfer Assessment document be submitted in conjunction with a Condominium Plat for the project, or prior to the transfer or sale of any condominium.
4. That the comments of the Town Engineer be addressed.
5. That the comments of the Utilities Manager be addressed prior to the start of site work or construction.

Suggested Motion: "I move to approve Resolution No. 29, a Resolution approving a Minor Subdivision, a Final Site Plan, and a Subdivision Improvements Agreement for Blue River Flats."

ATTACHMENTS: Staff Report and Exhibits

MANAGER'S COMMENTS:

Town of Silverthorne, Colorado
Town Council Staff Report

From: Lina Maria Lesmes, AICP, Senior Planner LML

Through: Mark Leidal, AICP, Assistant Town Manager

Date: October 6, 2016, for meeting of October 12, 2016

Subject: Minor Subdivision, Final Site Plan, and Subdivision Improvements Agreement (SIA) for Blue River Flats (PT2016-5)

Owner/Applicant: Ken Marsh – Blue River 50, LLC

Agent: Lindsay Newman – Norris Design, Inc.

Proposal: The applicant is requesting approval of a Minor Subdivision, Final Site Plan, and SIA to combine three existing parcels, modify easements, and construct 46 condominium units in five, three-story buildings. Two additional garage structures are also proposed.

Address: 1056, 1088 and 1130 Blue River Parkway

Legal Description: Lots 23R and 25 Silverthorne Subdivision #1, and an unplatted tract described in a warranty deed, Record No. 633874.

Site Area: Lot 1: 91,921 square feet or 2.11 acres
Tract A: 22,148 square feet or 0.51 acres

Zone District: Riverfront Zone District (RF)

Design District: Riverfront Design District

Site Conditions: The three parcels are currently developed with three single family homes that were constructed in the 1960s.

Adjacent Uses: North: Open Space, Town owned - vacant
South: Multi-Family development (RF)
East: Willowgrove Subdivision (R15)
West: Blue Sky Building and Silverthorne Mini Storage (C1)

Height: Allowed: 35 feet
Proposed: 35 feet

Lot Coverage: Allowed: 60% of lot area or 55,153 square feet
Proposed: 34% of lot area or 32,000 square feet

Parking:	Required:	92 plus 4 handicap accessible spaces
	Proposed:	92 plus 4 handicap accessible spaces
Snow Storage:	Required:	25% of paved area or 6,225 square feet
	Proposed:	25% of paved area or 6,537 square feet
Landscaping:	Required:	80 trees and 131 shrubs
	Proposed:	80 trees and 154 shrubs
Setbacks:	Front Required:	50% 0' setback, 50% 5' setback
	Proposed:	13% 0' setback, all other 5' setback
	Rear Required:	25 feet from top of bank of Blue River
	Proposed:	25 feet from top of bank of Blue River
	Side Required:	5 feet
	Proposed:	5 feet

BACKGROUND: The applicant, Blue River 50, LLC, purchased Lots 23R, 25, Silverthorne Subdivision #1, and the unsubdivided tract, on August 17, 2015. It is his intent to develop the parcels as a high-density residential project with 46 condominiums in 5 buildings, located adjacent to the Blue River. Parking for the project is composed of surface parking, understructure garage parking, and separated garage parking. Two access points are proposed from HWY 9, and connected via an internal drive.

PREVIOUS COUNCIL ACTION: The plat of the Silverthorne Subdivision #1 was approved in 1957, and created 25, 100-foot wide lots along HWY 9, and 22 lots along Annie Road. On January 22, 2003, Town Council denied a Sketch PUD, Subdivision, and Site Plan for a mixed-use project entitled 'Sapphire Plaza' proposed on Lots 23 and 24, Silverthorne Subdivision #1. On March 24, 2004, Town Council approved a lot line vacation between Lots 23 and 24, Silverthorne Subdivision #1, thereby creating Lot 23R.

After several Sketch proposals, Town Council approved a Final Commercial Subdivision, Final Site Plan, and Wetland Disturbance Permit for Sapphire Plaza III on December 10, 2008. The project consisted of 17 residential units and 4,543 square feet of commercial space on the three parcels in the subject application. The approval expired for lack of action in 2009.

On June 22, 2016, Town Council approved the Blue River Flats Preliminary Site Plan with the following conditions:

1. That no building or portion of a building encroach onto any easement on the property.
2. That a Minor Subdivision Plat be submitted with the Final Site Plan to modify any of the existing easements, to create a 25-foot pedestrian path easement, and to combine the three lots on which the project is proposed.
3. That the trail in the rear of the property and the sidewalk in the front of the property be

constructed prior to the issuance of a Certificate of Occupancy.

4. That the driveways be revised such that the width at the property line does not exceed 24 feet.
5. That the south driveway be revised such that it is no closer than 5 feet from the south property line, and it is defined by concrete curb and gutter.
6. That an access easement be provided along the south property line to facilitate a future shared access with Lot 22, Silverthorne Subdivision #1.
7. That the FEMA approved CLOMR-F be submitted with the Final Site Plan application.
8. That the Utility Plan be revised such that all utility lines on the property are undergrounded, as required by Section 4-5-5(3).
9. That the privacy fence proposed along the south property line be revised such that it is not within the required 25-foot pedestrian path easement in the rear, or in a location that might obstruct visibility of drivers entering and exiting the site.
10. That a sidewalk be proposed accessing the northernmost garage building, and the door that accesses the interior handicap parking space in that building.
11. That all utility, telecommunications, ground mounted, roof top mechanical equipment, and electrical boxes be shown on the elevations of the Final Site Plan.
12. That the garage buildings be revised to meet Standard 4.2.5 of the Riverfront Design District Standards and Guidelines, which prohibits building facades from exceeding a length of 50 feet without a change in plane.
13. That additional architectural variation be provided for the garage buildings to meet Standard 4.2.6 of the Riverfront District Design Standards and Guidelines.
14. That additional roof elements be provided for the garage buildings to meet Standard 4.5.2 of the Riverfront District Design Standards and Guidelines.
15. That the comments of the Town Engineer be addressed with the Final Site Plan.
16. That the comments of the Utilities Manager be addressed with the Final Site Plan.

STAFF COMMENTS – MINOR SUBDIVISION: The intent of the Minor Subdivision is to provide a one-step review process for the creation of 4 or fewer lots, or parcels of land. Section 4-5-11.d. requires that Minor Subdivision plats be consistent with the Comprehensive Plan, be consistent with Chapter 4 of the Code, meet all the public notice requirements, and execute a Subdivision Improvements Agreement (SIA).

1. **Consistency with Comprehensive Plan:** Policies in the Comprehensive Plan support high density residential uses in the Riverfront District, the combination of narrow lots for cohesive development, and the dedication of privately owned river property. The proposed Minor Subdivision is consistent with those policies, and in general conformance with the Comprehensive Plan.
2. **Consistency with Chapter 4, Article IV:** The second criterion for Minor Subdivisions is consistency with Chapter 4 of the Code, Article IV, Zoning Districts.

All of the Zoning Standards in Section 4-4-13, RF, Riverfront Zone District regarding use, lot frontage, lot size, and setbacks are met with the proposed plat. The subdivision creates Lot 1, with an area of 2.110 acres, as the unified lot for the condominium project and its associated site plan requirements for parking, landscaping, and snow storage. The subdivision also creates Tract A, which consists of a portion of the Blue River, and which is proposed to be dedicated to the Town. Lastly, the plat relocates utility easements, creates an exclusive water and sewer line easement, an access easement, and a 25-foot Multi-Use Recreational Trail easement.

- 3. Consistency with Chapter 4, Article V:** The third criterion for Minor Subdivisions is consistency with Chapter 4 of the Code, Article V, Subdivisions.

Section 4-5-11.f, Minor Subdivision Plat Exhibit, details the required items that must be shown on a Minor Subdivision Plat. All of the requirements regarding titles, boundaries, scale, certificates, legal descriptions, ties to surveyed monuments, and the acreage are met. In conformance with Section 4-5-11.g, Final Development Reports and Plans, the applicant submitted the following supporting materials, which were necessary for review of the Minor Subdivision and Site Plan:

- Final Drainage Report and Drainage Plan
- Traffic Impact Analysis
- Floodplain Analysis
- FEMA Conditional Letter of Map Revision based on Fill (CLOMR-F)
- Final utility construction plans and profiles
- Construction cost estimates for public improvements
- Wetland Delineation and Verification from the USACE
- CDOT Access Permits

Copies of all these technical plans and reports are available for review in the Community Development Department office.

- 4. Public Noticing:** In conformance with Section 4-7-3, Public Hearing Notice Requirements, a public notice regarding the Planning Commission and Town Council public hearings appeared in the Summit Daily News on September 26, 2016, and a mailed notice was sent to adjacent and contiguous property owners.
- 5. Subdivision Improvements Agreement:** For Minor Subdivisions, Section 4-5-11.d.5 requires that the applicant execute a Subdivision Improvements Agreement (SIA) for all public improvements needed to mitigate the impacts of the subdivision. An SIA has been prepared by the Town for the project's public improvements, including the sidewalk along HWY 9, the water and sewer main lines, and the fire hydrants. A letter of credit will be required secure the performance and completion of the improvements in an amount equal to 150% of the estimated cost of said improvements. Such letter of credit will be due to the Town prior to recording the Minor Subdivision Plat and the SIA. The SIA is attached as Exhibit J.
- 6. Public Dedications:** Staff finds that all applicable public dedication requirements have been satisfied. Tract A is being dedicated to the Town via the plat.

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

Comprehensive Plan: The first criterion for review of a Final Site Plan is consistency with the goals and policies of the Comprehensive Plan. The following policies apply:

Policy LU 1.6 – Ensure that all development is integrated with multi-modal transportation options and provides for safe connections between destinations for all users.

Policy LU RF 1 – Encourage high density residential development in the Riverfront District that is complementary to its river-oriented location, is well-connected to adjacent commercial and civic uses, maintains public connection to the riverfront, and adds a unique dimension to housing options in Silverthorne.

Policy LU RF 2 – Encourage the combination of 100-foot wide lots for cohesive development within the Riverfront District. Town-owned lots in this area may be utilized to offset on-site parking requirements.

Policy LU RF 3 – Support site designs that are human-scaled and pedestrian oriented, and that offer a convenient option for pedestrian movement within and between developments.

Policy LU 4.4 – Encourage the dedication of privately-owned river property to the Town for public access.

Policy LU 5.6 – Preserve and protect areas of significance to the community. These include, but are not limited to, wetlands, steep slopes, 100-year floodplain, significant landforms, significant vegetation, and view corridors.

Policy LU 5.9 – Require new and existing developments to provide adequate measures to control, manage, and minimize adverse effects on the water resources and water quality of the region. These include items such as water related treatment and management basins and/or plans for storm-water and water quality management.

Policy LU 5.11 – Ensure that development adjacent to the Blue River is accomplished in a manner that enhances the river corridor, protects water quality, and maintains pedestrian access and use.

Policy CD 3.2 – Encourage the use of natural and long-lasting materials and colors that are enduring and complementary to Silverthorne’s natural setting and existing development.

Policy CD 3.3 - Building mass, form, length, and proportions shall be designed to provide variety of visual interest, maintaining a human scale that is appropriate to surroundings.

Policy T 1.5 – Limit vehicular access to HWY 9, with major traffic generators using secondary access points rather than direct highway access whenever possible.

Policy T 2.6 – Encourage development to provide bicycle parking facilities, and improve bicycle parking at bus stops and areas of public activity.

Staff finds that the proposed development is consistent with several policies of the Silverthorne Comprehensive Plan. The high density development in the Riverfront District combines narrow lots, provides additional housing options, and maintains a public connection to the riverfront. The project also proposes drainage improvements and water quality basins that serve to minimize adverse impacts to the Blue River. The buildings are designed with elements scaled to the pedestrian, and with natural and enduring materials. Bicycle parking, pedestrian connections, and relationship to the Blue River are all aspects of the project, addressing the goals and policies of the Comprehensive Plan.

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

Zoning Standards – The Riverfront Zone District (RF) is envisioned as a high density residential area with distinct character and a strong relationship to the Blue River. Staff finds that the application meets the RF Zone District requirements for land use, lot frontage, and lot coverage. The remaining zoning standards are evaluated below.

Density – The RF zoning permits a maximum of 25 dwelling units per acre. For a lot area of 2.11 acres, 53 residential units are permitted. The applicant is proposing 46 residential units, not exceeding the density maximum.

Setbacks – For 50% of the HWY 9 lot frontage, a 0-foot setback is permitted. For the remaining 50%, a minimum 5-foot setback is required. The lot frontage along HWY 9 extends for approximately 590 feet. Approximately 75 feet of combined building lengths is proposed to meet the 0-foot setback. The remaining portions of the structures are a minimum of 5 feet from the front property line. In addition, all structures meet the 5-foot side setback requirement, and the 25-foot setback from the top-of-bank of the Blue River.

Height – The maximum building height in the Riverfront Design District is 35 feet, as measured from the average existing grade underneath each building. Below is a summary of the heights for the Blue River Flats buildings.

Building	Average Existing Grade	Highest Ridge Elevation	Height (feet)
1	8,708	8,743	35
2	8,708.75	8,743.24	34.5
3	8,708.25	8,743.04	34.8
4	8,707.1	8,741.49	34.4
5	8,707.5	8,742.41	34.9

The five condominium buildings are proposed to be raised above the elevation of the floodplain, but will not exceed the height maximum. The two garage buildings measure 13.6 feet, within the maximum height allowance.

Pedestrian Access and Circulation – The Riverfront Zone District has three path connection requirements. The first requires that a pedestrian path be constructed within

the riverside setback, in accordance with the Town Parks, Trails, and Open Space Master Plan. Per that document, the pedestrian path is required to be 10-feet wide, and finished with asphalt. To meet the condition of approval of the Preliminary Site Plan, the applicant is proposing a 10-foot asphalt path along the Blue River, meeting the standard.

The second requirement is for a minimum 6-foot wide concrete sidewalk to be located along the property line parallel to HWY 9. To meet the condition of approval of the Preliminary Site Plan, the applicant is now proposing a 6-foot wide concrete sidewalk along the HWY 9 frontage. The applicant has also obtained approval from CDOT for locating this sidewalk within their right-of-way.

Lastly, the applicant is required to provide a 25-foot pedestrian path easement within the setback from the top of bank of the Blue River. Such easement is shown on the proposed Minor Subdivision plat. Staff finds that all the pedestrian circulation requirements of the Riverfront Zone District are met with the Final Site Plan.

Vehicular Access and Circulation – Adjacent to the subject site, HWY 9 is a four-lane, median-divided roadway with left turn lanes for northbound and southbound traffic at 12th Street. The next full movement intersection is located at 10th Street, approximately 350 feet south of the project site. The project is proposed to take access from HWY 9 via a right-in/right-out (RIRO) driveway on the south, and a full-movement driveway aligned with 12th Street, on the north.

Driveway Widths – To address the condition of approval of the Preliminary Site Plan, the applicant has revised the driveway widths such that they do not exceed the maximum width of 24 feet allowed at the property line.

South Driveway – Currently, there is an unofficially shared driveway on the south that straddles the property line between Lots 23R and Lot 22. The owner of Lot 22, Betty Boatman, has indicated that she is not interested in creating an officially shared driveway with the Blue River Flats development.

The Town Code has the following standards for driveways:

- Section 4-6-10.e.4.c – Frequency of Driveways – *“No two driveways connecting a public street, alley, or highway to an off-street parking area shall be within 30 feet of one another at their intersections with the property line.”*
- Section 4-6-10.e.4.l – Curb – *“Concrete curb and gutter required. All off-street parking surfaces shall be defined by concrete curb and gutter (for all uses).”*
- Section 4-6-10.e.4.m –Location – *“Facilities serving residential or commercial uses shall not be closer to the property line than 10 feet.”*

The Public Works Department can approve a reduction in the standards above if it finds that a requirement is not justified by the characteristics of the proposed driveway. With the review of the Preliminary Site Plan, Staff found that it was appropriate to waive the frequency of driveways standard.

It is the Town's long-term goal to minimize curb cuts on HWY 9 and promote shared access drives in the Riverfront District. As such, as a condition of approval of the Preliminary Site Plan, the Town permitted a reduced setback width of 5 feet for the south driveway if the applicant provided an access easement to facilitate a future shared access configuration with Lot 22, to the south. Moreover, the 5-foot setback provided the minimum space necessary for functional snow storage.

The Final Site Plan proposes the south driveway 5 feet from the property line, defined in its entirety by concrete curb and gutter. The Minor Subdivision plat also proposes a 24-foot access easement from the south property line, meeting the Town's requirements.

Parking – The project proposes 46 residential condominiums of various sizes. The table below provides Staff's calculations on the amount of parking required, and the reductions permitted by Section 4-6-10.f.5.

Use	Minimum Parking Required	Available Reductions
10, 1BR condominiums	15	Bicycle Parking – 4.8
35, 2BR condominiums	70	
1, 3BR condominiums	2.5	
Visitor Parking	9.2	
Handicap Parking	4	None
Parking Required Onsite: 92 + 4 HC spaces		

The plans indicate that there are 41 enclosed garage parking spaces, 51 surface spaces, and 4 handicap spaces. All exterior parking facilities are shown a minimum of 10 feet from a property line, and defined by curb and gutter, meeting the Code requirements.

To qualify for the bicycle parking reduction, 35 bicycle parking spaces are necessary. Sheet L-2 shows 3 exterior bicycle racks, and one interior bicycle storage space, with room for 37 bicycles, meeting the requirements.

Traffic – Felsburg Holt & Ullevig Traffic Consultants prepared a Traffic Assessment for Blue River Flats on January 20, 2016. It is noted in the Assessment that the Blue River Flats project will generate approximately 350 vehicle daily trips (considered relatively low). Based on that volume of traffic, new left or right-turn lanes are not deemed necessary to accommodate the Blue River Flats project. The Assessment states that, *“in regards to the projected traffic volume levels, auxiliary lane requirements, and sight distance availability, the construction of the Blue River 50 will have very little impact on the overall driving experience of existing motorists along HWY 9.”* CDOT reviewed the Traffic Assessment, and agreed with the design recommendations for the access points.

Snow Storage – A minimum of 25% of the total paved area must be provided for snow storage. Sheet L-3 indicates that there are 24,899 square feet of paved areas, requiring 6,114 square feet of snow storage. The applicant is proposing 6,537 square feet of snow storage in locations that facilitate the snow stacking process, meeting the requirement.

Landscaping – The site encompasses 91,921 square feet. With a 5% reduction for incorporating xeriscaping practices, 87 trees (50% deciduous and 50% coniferous) and 131 shrubs are required. Up to 10% of the required number of trees may be substituted for alternative forms of landscaping, including benches. The applicant is proposing 7 benches, reducing the required number of trees to 80. Sheets L-1 and L2, Landscape Plan, indicate that 46 deciduous trees, 34 coniferous trees, and 154 shrubs are being proposed, meeting the minimum requirements. As part of the Landscape Plan, the applicant is also proposing a variety of benches along the riverside pathway, ornamental grasses, and a 'community green' gathering space for the residents in the development

As a condition of approval, the Landscape Plan must be modified such that the 50/50 ratio of coniferous to deciduous trees is addressed with the building permit submittal.

Wetlands – The combined sites contain 0.4 acres of wetlands, which were delineated in October of 2015, and are shown on the Site Plan and Existing Conditions Map. The US Army Corps of Engineers has verified the location of the wetlands. With the proposed subdivision, the wetlands will be located entirely on the Tract A, which is proposed to be dedicated to the Town. Section 4-8-19 requires a 10-foot buffer zone from wetland areas for the subject property. Wetland areas are not proposed to be disturbed with the proposed development. The only disturbance in the buffer zone will be the planting of trees, shrubs, and revegetation materials.

Floodplain Development Standards – The Blue River Flats property is within FEMA's designated Zone AE, which is subject to inundation by the 100-year based flood (1% annual chance flood). The limits of the 100-year floodplain are shown on the Site Plan.

The floodplain management regulations are detailed in Chapter 3, Public Works, Article VIII, Flood Damage Prevention. The Town Engineer acts as the Floodplain Administrator, designated to enforce the floodplain management regulations. Please see Exhibit H for details on the Town's Engineer's analysis of the floodplain standards.

CLOMR-F/LOMR-F – Computer models of the floodplain are used to simulate "encroachment" or fill in the flood fringe in order to predict where and how much the Base Flood Elevation (BFE) would increase if the floodplain is allowed to be filled. The applicant submitted a Floodplain Analysis prepared by Wright Water Engineers on February 15, 2016, which modeled the potential changes to the BFEs due to the proposed development, and evaluated the impacts to surrounding properties.

Based on this analysis, the applicant obtained a Conditional Letter of Map Revision based on Fill (CLOMR-F) through FEMA. The CLOMR-F is a letter from FEMA acknowledging that proposed structures would not be inundated by the 100-year flood if fill is placed and the structures are built as proposed. The Letter of Map Revision Based on Fill (LOMR-F) is an official change to a FIRM that is issued after the structures are built to document FEMA's determination that the structures are no longer in the Special Flood Hazard Area (SFHA). The issuance of a LOMR-F eliminates the federal flood insurance requirement for properties located within the 100-year floodplain.

Drainage – Stormwater drainage from the commercial properties west of HWY 9 flows through a pipe underneath the highway, to a roadside ditch west of the subject property, and into the Blue River. As part of the Blue River Flats project, the applicant is proposing to improve the roadway ditch, and continue to direct that drainage to the north.

Stormwater drainage generated by the project is proposed to be conveyed by curb and gutters into a concrete pan in the center of the internal drive, to a water quality pond located on the north end of the property, and finally to the Blue River. Runoff from the rooftops closest to the Blue River is designed to flow overland on native slopes, then into the Blue River. The Drainage Plan emphasizes water quality, but also provides storm water detention capacity. The Town Engineer has reviewed the Drainage and Grading Plan, and finds that it meets the Town's requirements.

Utilities – Existing water and sewer mains run within the HWY 9 right-of-way. The applicant is proposing water and sewer main connections underneath the private drive, within exclusive water and sewer line easements. Electric lines, transformers, and gas lines are also located within the HWY 9 right-of-way. Overhead utility lines, a power pole, and associated guy wires currently exist on the property.

Section 4-5-5 (3) requires that all utilities on the property be undergrounded. Specifically, *"no subdivision shall be approved unless the plans and specifications provide all utilities to be placed underground."* As a condition of approval of the Preliminary Site Plan, the applicant was required to revise the plans such that all utilities, including those across the Blue River, were undergrounded. Nonetheless, the current plans propose to relocate the utility pole towards the east, underground the electricity lines that extend west, but not those that cross the Blue River to the east.

The applicant explored 3 options for undergrounding the utilities, including routing them to the Tammy Jamieson bridge, building a bridge across the Blue River, and undergrounding the utilities under the river (Please see Exhibit E for details). Based on that analysis, the applicant concluded that undergrounding the utilities was cost prohibitive, and would significantly delay construction of the project.

As a compromise, the applicant is proposing to dedicate Tract A to the Town, and to create a funding mechanism for undergrounding the utilities in the future. The proposal is to record a Real Estate Transfer Assessment (RETA) that would require 1% of each real estate transfer to be submitted to the Town in perpetuity. Other subdivisions in Town that have agreed to a RETA include Angler Mountain Ranch, Maryland Creek Ranch, and Brian Avenue Business Court. Lastly, the applicant has requested that the first sale of each of the 46 condos be exempt from the RETA. Please see Exhibit F for details.

Staff finds that the dedication of Tract A, and the proposed funding mechanism (RETA) for undergrounding the utilities at a later date is a benefit to the Town. The details of the RETA are noted in the SIA for the project. Additional details on the RETA and the revenues that might be generated over time will be provided as part of the Condominium Subdivision Plat that will be required prior to the sale of any units.

Dumpster Enclosure – Trash and recycling facilities are located within the building on the west side. There is adequate space for a garbage truck to enter and exit the site in a forward-flow motion.

Lighting – Lighting information, including exterior light fixture cut sheets are shown on Sheet E.01. Bollard lights are proposed along the pedestrian walkways, as well as down-cast wall mounted fixtures at building entrances. The applicant is also proposing 10 pole mounted light fixtures (S1). Two S1 fixtures are shown off-site. The Town Code requires all project light fixtures be onsite, and setback from the property lines at least as tall as the fixture height. As a condition of approval, all pole-mounted light fixtures must be located a minimum of 14 feet (proposed height) from the property lines.

Riverfront District Design Standards and Guidelines: The third criterion for Final Site Plans is consistency with the district design standards and guidelines. Standards are baseline requirements. Guidelines are recommendations that are intended to further define the desired character of development in the Riverfront District.

Building Orientation and Location on Site

Guideline 3.1.1 states, *“Development that creates a ‘wall’ that blocks access to the Blue River, or access between developments is discouraged.”* The applicant is proposing a 6-foot cedar fence along the south property line to provide privacy for the neighbor to the south. In response to the condition of approval of the Preliminary Site Plan, the applicant revised the fence such that it no longer within the Multi-Use Recreational Trail Easement in the rear, and is setback 20 feet from the front property line. Staff finds that the applicant has adequately addressed this guideline.

Guideline 3.1.3 states, *“Architectural elements that enhance the pedestrian environment and create an inviting atmosphere, including balconies, canopies, porches, patios, creative walkways, and gathering spaces are encouraged. Orientation of such elements should prevent the shedding of snow onto pedestrian areas.”* These design elements have been incorporated into the project, addressing the guideline.

Pedestrian Access and Circulation

Standard 3.2.1 states, *“The Blue River Path is an important focus of the Riverfront District. Developments shall provide a trail connection along the river, in accordance with the Silverthorne Parks, Trails, and Open Space Master Plan and the Town Code, as well as interconnections between adjacent sites.”* As noted previously, a pedestrian path is proposed along the river. Because interconnections between adjacent sites is required by this standard, Staff supports the revised length for the fence.

Standard 3.2.2 states, *“Where a public sidewalk is deemed necessary by the Town, it shall be installed in the public right-of-way as part of the proposed development.”* In order to meet this standard, the applicant has revised the plans to propose a sidewalk along HWY 9, meeting this standard.

Standard 3.2.3 states, *“Continuous internal pedestrian walkways within a development*

site, not less than 6 feet in width, shall be provided from the principal building entrance to adjacent sidewalks, trails, and public right-of-ways". The internal walkways meet this standard.

Vehicular and Service Area Access and Circulation

Standard 3.3.1 states, "Vehicle circulation onsite shall be clearly organized to facilitate movement into, and throughout, parking areas. Parking drive lanes and intersections shall align wherever practical." Vehicular circulation is functional and organized, and parking areas are designed with adequate space to maneuver. The applicant is proposing to align the north driveway with 12th Street in order to offer full turn movements in and out of the site. This standard is met.

Guideline 3.3.2 states, "Contiguous developments are highly encouraged to combine access points to minimize curb cuts, and to provide connections between adjacent properties." In response to a condition of approval of the Preliminary Site Plan, the applicant has proposed a 24-foot access easement on the south side. This will ensure that there is the potential to create a future shared access with the property to the south.

Guideline 3.3.3 states, "The consolidation of adjacent lots is strongly encouraged to create cohesive development projects. Developments should consider cross access drives that may provide shared access to multiple properties." The applicant is proposing to consolidate 3 existing lots with the development of the Blue River Flats. A shared access with the property to the south was explored to address this guideline.

Parking

Standard 3.4.1 states, "Parking areas shall be located so as to minimize visual and noise impacts on adjacent properties and the public right-of-way." A large portion of the parking is located within garages. Surface parking is proposed in the interior of the site, minimizing the visual and noise impacts, meeting this standard.

Guideline 3.4.3 states, "Parking within buildings, including parking located in architecturally integrated garages, is encouraged to minimize the amount of uncovered surface parking." Approximately half of the required parking on the property is located in architecturally integrate garages, addressing this guideline.

Landscape

Standard 3.5.1 states, "Development must provide landscaping that addresses and complements the recreational aspect of the Blue River. To that effect, the natural vegetation surrounding the river should be preserved, to the greatest extent feasible." The applicant is proposing sufficient landscaping to meet the Town Code, and is not disturbing the natural vegetation around the river, meeting this standard.

Standard 3.5.3 states, "Significant landscape materials, such as trees, shall be located outside utility easements. Planting of trees over utility lines is prohibited." Trees are not proposed within utility easements, meeting this standard.

Guideline 3.5.5 states, “*Landscaped neighborhood gathering spaces, including courtyards, mini parks, neighborhood greens, and playgrounds are encouraged within high density residential developments.*” The applicant is proposing a ‘community green’ as part of the Landscape Plan, addressing this guideline.

Screening

Standard 3.7.2. Refuse, Recycling, Storage and Service Areas states,

- a. *“Refuse, recycling, and service areas shall be located to the rear or side of buildings, or in other inconspicuous locations, where they are generally not noticeable from public rights-of-way, pedestrian walkways, or open spaces.*
- b. *All outdoor refuse, recycling containers, and dumpsters shall be screened from view from adjacent properties and public rights-of-way by enclosure in a permanent, four-sided, solid, and opaque structure with a roof.*
- c. *Refuse, recycling, storage, and service structures shall be designed in the same architectural style and be constructed of materials and colors complementary to the primary building on site.*
- d. *All outdoor storage of materials, vehicles, and/or ancillary equipment shall be screened from public view with a permanent, solid, opaque fence; or with landscaping designed to create year-round screening. Fences shall be designed to match the architecture of the primary structure.”*

Trash and recycling containers are proposed in a four-sided enclosure with a roof, located along the internal drive. The structure is constructed of the same materials and colors as the other buildings on the property. The privacy fence proposed along the south property line is proposed to be cedar wood, which is permanent, solid, and opaque. All condominium units have adequate space for storage of materials and vehicles, such these items do not need to be stored outside. Staff finds that this standard is met.

Building Form, Mass and Height

Standard 4.1.2 states, “*Buildings shall be designed to relate directly to and reinforce the pedestrian scale, the quality of the Blue River, and the street. The following techniques may be used to meet this objective:*

Changes to the architecture of the buildings since the approval of the Preliminary Site Plan are generally summarized below:

- Minor changes to window shapes on Buildings A, B, and D
- Balcony exterior material changed from metal and tempered glass to wood railing and steel cords.
- Angled columns that supported balconies are now straight up and down.
- Garage-style balcony doors are predominately sliding glass doors now
- Building C was revised to include larger windows and additional rock, and a mid-level break with a lower roofline
- Roof pitch on all buildings, but particularly building D, has less slope due to truss design and assembly.

- a. *Shifts in building massing, variations in height, profile and roof form that provide human scale while maintaining a consistent relationship of the overall building form to the street edge and the river.*
- b. *Minimize long expanses of wall at a single height or in a single plane.*
- c. *Provide projecting elements; and*
- d. *Group elements to provide balanced façade composition.”*

Four building ‘types’ are proposed for the project. Each building type has similar design elements and building materials, resulting in a cohesive development. However, each building type also has distinct architecture, adding variety and visual interest to the project. All buildings have been designed to provide shifts in massing, variations in height, wall plane projections and recesses, and a variety of building materials. Staff finds that there is a balanced composition for each façade, and that this standard is met.

Standard 4.1.3 states, *“Reduce the bulk of a multi-story building to be on a pedestrian scale. The design shall emphasize a “base”, “middle”, and “top”:*

- a. *A distinctive base at the ground level shall use articulation and materials such as: timber, wood, stone, masonry, decorative concrete, or other materials. Base elements may include windows, architectural details, canopies, bays, or overhangs.*
- b. *The middle of the building shall be made distinct by change in material or color, windows, balconies, step-backs, and/or signage.*
- c. *The top of the building shall emphasize a distinct profile or outline with elements such as: a projecting parapet, cornice, upper level step-back, or creative roofline.”*

Each condominium building is proposed with a distinctive base, middle, and top. Large sections of stone are proposed for the base, attractively anchoring the building. The base is also emphasized with roof elements scaled to the pedestrian, windows, and entries. The middle of the building is made distinct by a change in material to cedar vertical and horizontal siding, angled timber columns, and balconies. The top of each building has a slightly sloped roof lines at varied elevations. Staff finds that this standard is met.

Standard 4.1.5 states, *“The mass of multi-family residential buildings shall be broken down to a human scale with creative window and door patterns, upper level balconies, angled wall planes, or other distinct architectural features.”* The mass of each of the condominium buildings is broken down to the human scale by attractive entries, projecting elements, timber columns, upper level balconies, ground level sloped roof features, covered entries, recessed garages, and large windows. This standard is met.

Building Façades and Architectural Elements

Standard 4.2.1 states, *“Buildings shall be designed to provide interest and variety, and with elements scaled to the pedestrian. The following techniques shall be used to meet this objective:*

- a. *Break up large building components with significant articulation of wall planes and roof lines;*
- b. *Create patterns, using window size and/or shape, that relate to interior functions;*

c. *Emphasize building entries through projecting or recessed forms.*

Staff finds that the design of the five condominium buildings incorporates all of the elements required by this standard. There is significant articulation in the wall planes and roof lines, window patterns, a variety of building materials, and well defined entrances.

Standard 4.2.2 states, *“Provide human scale through change in plane, contrast, and intricacy in form. Avoid large areas of undifferentiated or blank building facades.”* Each of the condominium buildings is designed with a variety of high quality building materials, balconies, large windows, varied wall planes and rooflines, and timber columns, resulting in intricate form with human scaled elements. Staff finds that this standard is met.

Standard 4.2.5 states, *“Building facades shall not exceed 50 feet in length along the same geometric plane, at which time there shall be wall plane projections or recesses having a depth of at least 2 feet for a distance of not less than 6 feet.”* The condominium buildings meet this standard on each façade. To address a condition of approval of the Preliminary Site Plan, the applicant revised the garages to address this standard.

Standard 4.2.6 states, *“Each building façade shall have a repeating pattern that includes no less than 3 instances of either: color change, texture change, material change, or expression of a structural, architectural feature.”* Each of the types of condominium and garage buildings have at least 3 types of color, material, and texture change.

Building Materials and Finishes

Standard 4.3.3 states, *“Predominant exterior building materials shall be high-quality durable materials that retain their appearance over time, and that can be economically maintained. Buildings shall be predominantly clad in Class I and Class II materials. Class III materials are prohibited in the Riverfront District.”*

- *Class I materials include timber, log and wood siding, clay fired brick, natural stone, masonry, cement stucco, and glass.*
- *Class II materials include architectural metal, fiber cement siding, concrete brick, manufactured stone, and integrally colored split face block.*
- *Class III materials include EIFS, smooth-face concrete block, tilt-up concrete panel systems, metal panel systems, and vinyl and aluminum siding.*

The proposed building materials include timber columns, vertical and horizontal wood siding, manufactured stone, wood railing and steel cord balconies, metal roofing, and asphalt shingles. The materials are Class I and Class II materials, meeting this standard.

Standard 4.3.6 states, *“Applicants are required to submit a sample board of materials, finishes, and colors of all proposed exterior materials”.* The applicant has submitted a color copy of the material board. A color and material board was submitted with the Final Site Plan and will be available at the public hearing.

Building Colors

Standard 4.4.2 states, “*The Munsell color notation system is broken into three characteristics: hue (color), chroma (brightness), and value (shade). In the Town of Silverthorne, chroma is the only Munsell color characteristic that is regulated.*”

- a. *The primary body colors of the building shall not exceed a chroma of 4 on the Munsell Color Chart.*
- b. *The trim accent colors of the building shall not exceed a chroma of 6. The trim accent colors are limited to an area of no greater than 10% of the building façade.*
- c. *The roof color of the building shall not exceed a chroma of 4. Roof color shall be compatible and complementary to the surrounding buildings in the Riverfront District.*
- d. *The use of black, white and neutral gray colors proposed for any portion of the building shall be reviewed based on the appropriateness to the proposed design.*

There are two color schemes for the condominium buildings. Types A, B, and D buildings have a lighter, more constrasty color scheme, while the Type C building and the garages has a darker and richer color scheme. Both color schemes meet the chroma requirements of this standard.

Building Roofs

Standard 4.5.2 states, “*Where pitched roofs are utilized, the use of gables, dormers, and shed roof elements shall be used to break up large expanses of roof, and to add architectural interest.*” The five condominium buildings are designed with a slightly pitched roofs. Roof lines are proposed at various angles and elevations, breaking up large expanses of roof. Pitched roof elements were added to the garage building to address this standard.

Standard 4.5.6 states, “*Visible roof surfaces shall be made of durable materials such as: concrete tile, metal, other pre-finished architectural metals or architectural grade asphalt shingles.*” Visible roof surfaces are proposed to be either asphalt shingles or standing seam metal, meeting this standard.

PLANNING COMMISSION RECOMMENDATION: On October 4, 2016, by a vote of 6-0, the Planning Commission voted to recommend approval of the Minor Subdivision and Final Site Plan for Blue River Flats based on the following findings and with the following conditions:

Findings:

1. The Minor Subdivision Plat meets all the requirements set forth in Section 4-5-11, Minor Subdivision, and Section 4-5-15, Certifications.
2. The Final Site Plan meets all the requirements set forth in Chapter 4, Article IV, Zoning Districts and Standards, and Article VI, Site Plan, with conditions.
3. The Minor Subdivision Plat and Final Site Plan meet the standards of the Riverfront Design District Standards and Guidelines.

Conditions:

1. That the Landscape Plan be modified to meet the required ratio of 50% coniferous trees and 50% deciduous trees, with the submittal of the building permit
2. That the Lighting Plan be revised such that all pole mounted light fixtures are on the property and setback at least as far as their heights from the property lines.
3. That a Real Estate Transfer Assessment document be submitted in conjunction with a Condominium Plat for the project, or prior to the transfer or sale of any condominium.
4. That the comments of the Town Engineer be addressed.
5. That the comments of the Utilities Manager be addressed prior to the start of site work or construction.

Suggested Motion: "I move to approve Resolution No. 29, a Resolution approving a Minor Subdivision, a Final Site Plan, and a Subdivision Improvements Agreement for Blue River Flats."

ALTERNATIVE MOTION: Should Town Council find that the application does not meet the Code and/or the Riverfront District Design Standards and Guidelines, Staff recommends the following findings and motion:

Findings:

1. The Final Site Plan does meet Section 4-6-11.g.22, which requires a minimum mix of 50% coniferous and 50% deciduous trees.
2. The Final Site Plan does not meet Section 4-6-13.e.3.f, which requires that light fixtures be set back from the property line at least as far as their height.

Suggested Motion: "I move to deny the Minor Subdivision, Final Site Plan, and SIA for Blue River Flats based on the Staff recommended findings".

EXHIBITS:

- Exhibit A: Project narrative
- Exhibit B: Minor Subdivision Plat
- Exhibit C: Final Site Plan set
- Exhibit D: Applicant response to referral agency comments
- Exhibit E: Utility Undergrounding Analysis, dated July 12, 2016
- Exhibit F: RETA proposal, dated July 19, 2016
- Exhibit G: Reasons for exempting first sale from RETA, dated September, 2016
- Exhibit H: Town Engineer Memo, dated September 28, 2016
- Exhibit I: Utilities Manager Memo, dated September 28, 2016
- Exhibit J: Subdivision Improvements Agreement
- Exhibit K: Resolution No. 2016-29



Godden|Sudik ARCHITECTS

PROJECT NARRATIVE: Blue River 50 - Silverthorne

Blue River 50 is 2.32 acres of existing developed land located on the west bank of the Blue River in the Riverfront District and zoned for 25 units per acre with a maximum Building Height of 35'-0" from average existing grade. The proposed development consists of 3 parcels, 1130, 1088 and 1056 Blue River Parkway. Approximately .5 acres are located within the Blue River and will remain undisturbed open space along with the required 25' river setback area. The river setback has been designed to both minimize environmental impacts and enhance the Blue River corridor by leaving approximately 45 existing, established trees, planting native trees and shrubs and including a 10'-0" paved path to connect pedestrians with adjacent properties.

Blue River 50 is designed as a 46 unit, for-sale Condominium Project offering a varied portfolio of home types. The project's units range from just under 900 square feet to over 1,800 square feet and were designed with large decks and windows to take advantage of the prominent location along the Blue River. 30 of the project's 46 units have direct or indirect views out to the Blue River as the buildings were sited intentionally along the river bends. In total, the development will consist of 6 separately built structures containing a total of 39 flat-stacked condominium residences, 5 townhome-style condominiums as well as 2 carriage house units with lofted living.

The development has 2 access points from Highway 9 to the west including one aligned along the properties northern boundary that provides shared access to the adjacent parcel. On site, there are 42 enclosed garage units (30 attached and 12 detached). There are 2 common access bike rooms and all 42 of the garage units are generously sized to fit bikes and the many recreation items enjoyed by Summit County residents. In addition to the garage spaces, there are 54 surface parking spaces supplying the required 96 spaces after a small bicycle parking reduction is applied.

To complement the scale of the surrounding neighborhoods, there are smaller, stand-alone two and one half-story residential buildings and townhome units interspersed with the three-story structures. These buildings along with the broken massing of the three-story buildings develop a scale appropriate for the location adjacent to State Highway 9 and the nearby larger commercial structures.

The archetypes established within the community will reflect the surrounding buildings and communities blending the historical as well as the contemporary. Low sloped roofs and generous overhangs help to create elongated horizontal planes of material and directly echo the strong mountain architecture established in the region. Natural stone provides a durable base and accents of stained natural wood give the buildings contextual flair.

The Blue River 50 Housing project will provide a much needed mix of for-sale housing to the Town of Silverthorne while respecting the river ecosystem and local character.

BLUE RIVER FLATS CONDOMINIUMS
PHASE 1 SUBDIVISION PLAT
LOTS 23R & 25, SILVERTHORN SUBDIVISION
AND THE UNPLATTED 0.704 AC. TRACT RECORDED AT REC. NO. 633874
LOCATED IN THE N 1/2 OF SEC. 1, T.5 S., R.78 W. of 6th P.M.
TOWN OF SILVERTHORNE
SUMMIT COUNTY, COLORADO
SHEET 1 OF 2

ACKNOWLEDGEMENT, COUNTY OF SOMMIT }
THIS _____ DAY OF _____, 2016.
BY SEN MARSH, AS MEMBER OF BLUE RIVER FLATS, LLC, A COLORADO LIMITED LIABILITY COMPANY.

TOOK UP SUPERVENEANCE APPROVAL
THIS PLAT IS APPROVED BY THE TOWN OF SILVERTHORNE, COLORADO THIS _____ DAY OF _____, A.D., 2016.
TOWN OF SILVERTHORNE, COLORADO

ACKNOWLEDGEMENT, COUNTY OF SOMMIT }
THIS _____ DAY OF _____, 2016.
BY SEN MARSH, AS MEMBER OF BLUE RIVER FLATS, LLC, A COLORADO LIMITED LIABILITY COMPANY.

TITLE COMPANY CERTIFICATE
LAND THIS GUARANTEE COMPANY DOES HEREBY CERTIFY THAT IT HAS EXAMINED THE
PLAT AND TITLE TO ALL SUCH LANDS IS IN THE INDICATOR FREE AND CLEAR OF ALL LIENS,
TAXES AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

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TAXES AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

Table with columns: Date, Name/Address, Title, Date, Scale, Checked, Job File, and Prio File. Includes information for Baseline Surveys LLC.

CLERK AND RECORDER
Baseline Surveys LLC
1005 AND 1006 WEST 10TH AVENUE, SUITE 100
DENVER, CO 80202
DATE: 7/26/2018
SCALE: 1"=40'
CHECKED: []
JOB FILE: 608
PRIO FILE: []

CLERK AND RECORDER
Baseline Surveys LLC
1005 AND 1006 WEST 10TH AVENUE, SUITE 100
DENVER, CO 80202
DATE: 7/26/2018
SCALE: 1"=40'
CHECKED: []
JOB FILE: 608
PRIO FILE: []

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMPADE ANY LEGAL ACTION BASED ON THIS INSTRUMENT TO THE COUNTY CLERK'S OFFICE IN THE COUNTY OF SOMMIT, COLORADO. IF YOU DO NOT COMPADE ANY LEGAL ACTION BASED ON THIS INSTRUMENT TO THE COUNTY CLERK'S OFFICE, YOU MAY BE DEEMED TO HAVE WAIVED YOUR RIGHT TO BRING SUCH AN ACTION IN ANY COURT OF LAW.

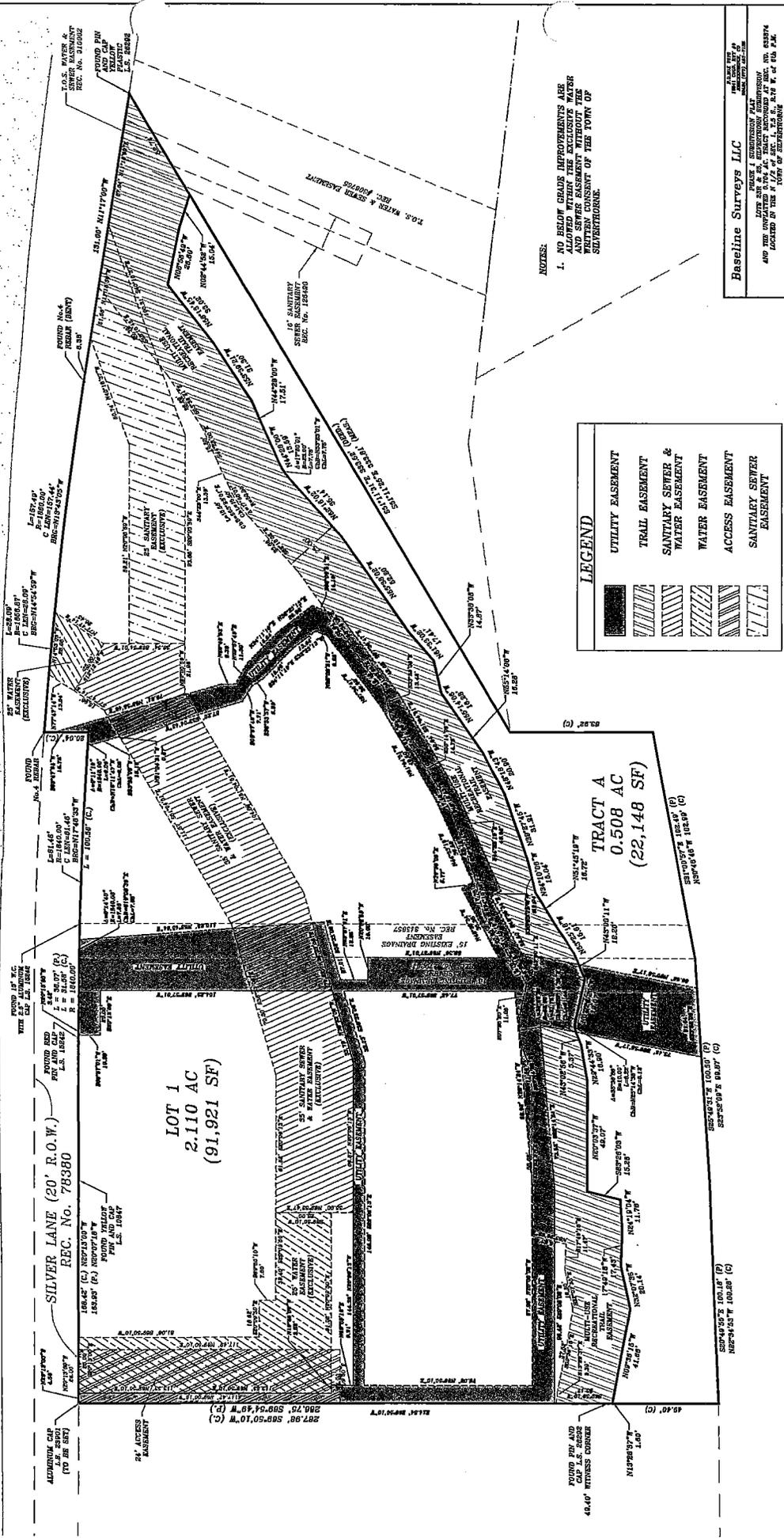
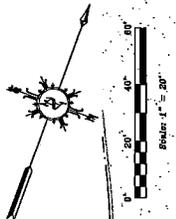
BLUE RIVER FLATS CONDOMINIUMS

PHASE 1 SUBDIVISION PLAT

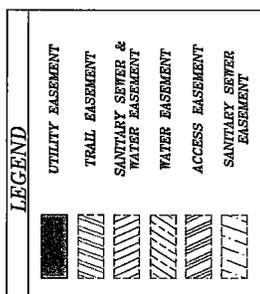
LOTS 23R & 25, SILVERTHORN SUBDIVISION
AND THE UNPLATTED 0.704 AC. TRACT RECORDED AT REC. NO. 633874
LOCATED IN THE N 1/2 of SEC. 1, T.5 S., R.78 W. of 6th P.M.

TOWN OF SILVERTHORNE
SUMMIT COUNTY, COLORADO
SHEET 2 OF 2

BLUE RIVER PARKWAY
COLORADO STATE HIGHWAY No. 9



NOTES:
1. NO BELOW GRADE IMPROVEMENTS ARE ALLOWED WITHIN THE EXCLUSIVE WATER AND SEWER EASEMENT WITHOUT THE APPROVAL OF THE TOWN OF SILVERTHORNE.



Baseline Surveys LLC		DATE: 2/4/2018	SCALE: Horiz 1"=20'
LARRY A. & S. SILVERTHORNE SUBDIVISION		DRAWN BY: M.F.O.	CHECKED BY: D.E.O.
TOWN OF SILVERTHORNE		JOB NO.: 4685	DWG. SHEET: 4685.PT
SHEET 2 OF 2			

NOTICE: APPLICANTS TO COLORADO LAW YOU MUST COMPLY WITH LOCAL ACTION BOARD DECISIONS. IF YOU DO NOT COMPLY WITH THE DECISIONS OF THE BOARD, YOUR APPLICATION WILL BE DENIED. YOU MAY APPEAL THE DECISION OF THE BOARD TO THE DISTRICT COURT. YOU MUST FILE YOUR APPEAL WITHIN 30 DAYS OF THE DATE OF THE DECISION.

NOT FOR CONSTRUCTION



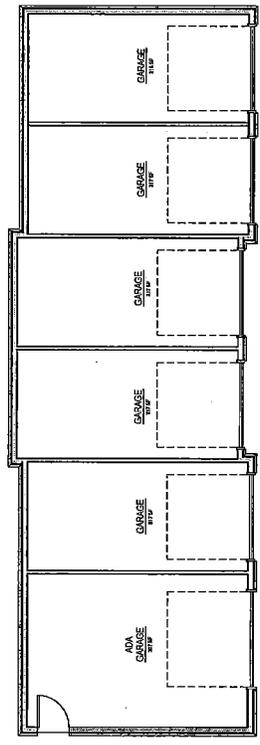
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Blue River FLATS
1056, 1088, and 1130 Blue River Parkway Silverthorne, CO

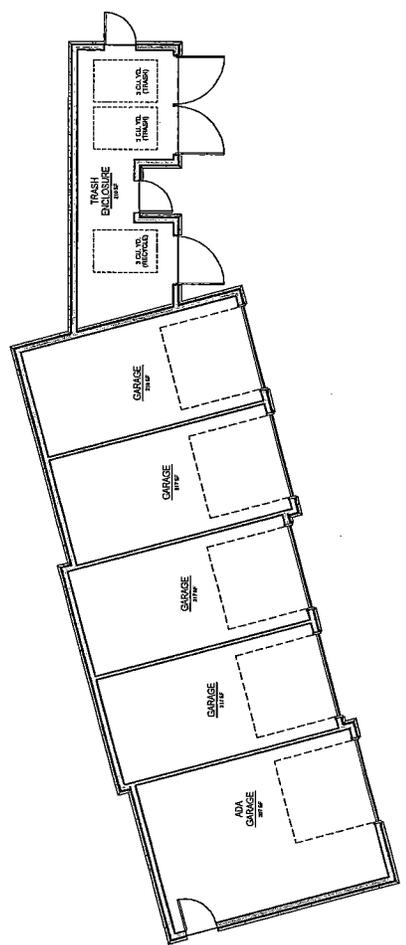
FINAL SITE APPLICATION
DRAWN BY:
CHECKED BY:
ISSUE DATE: 07-20-2016
REVISIONS

GARAGE & TRASH ENCLOSURE PLANS

A1.35



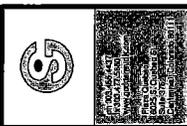
2 1ST LEVEL - GARAGE
3/16" = 1'-0"



1 1ST LEVEL - TRASH ENCLOSURE + GARAGE
3/16" = 1'-0"

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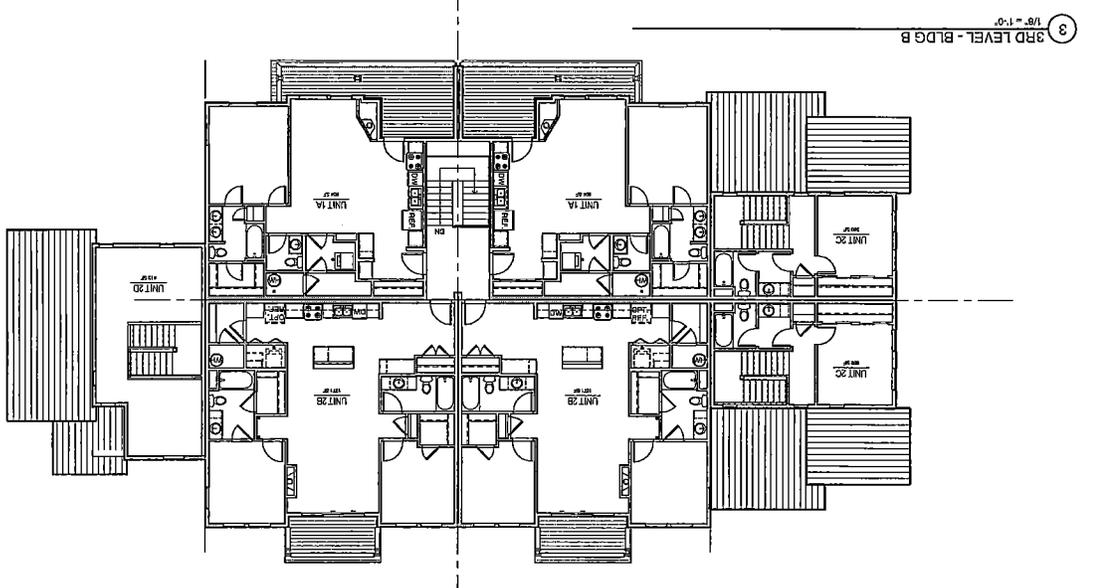
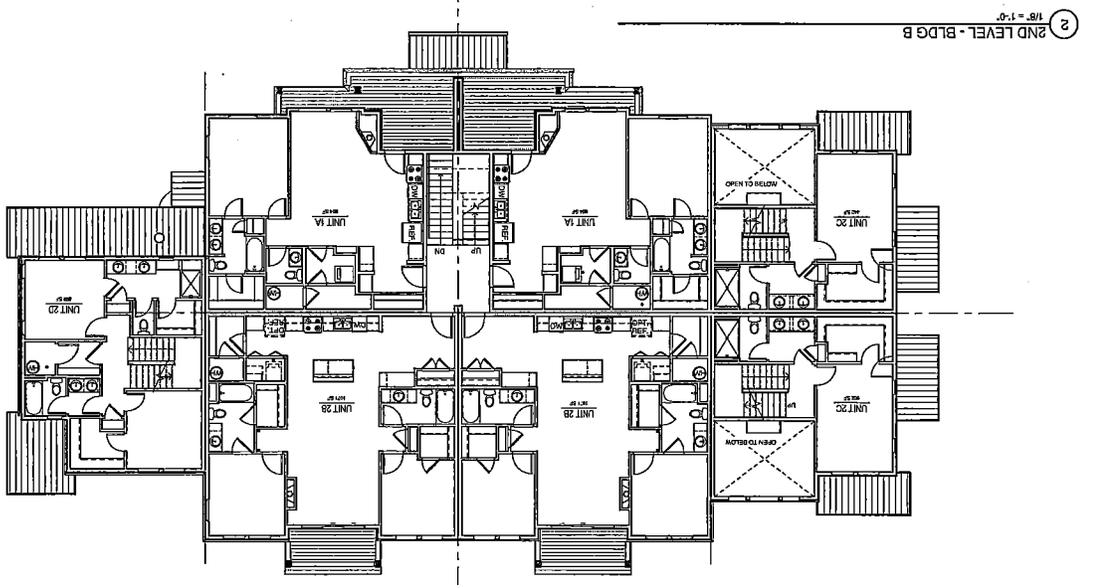
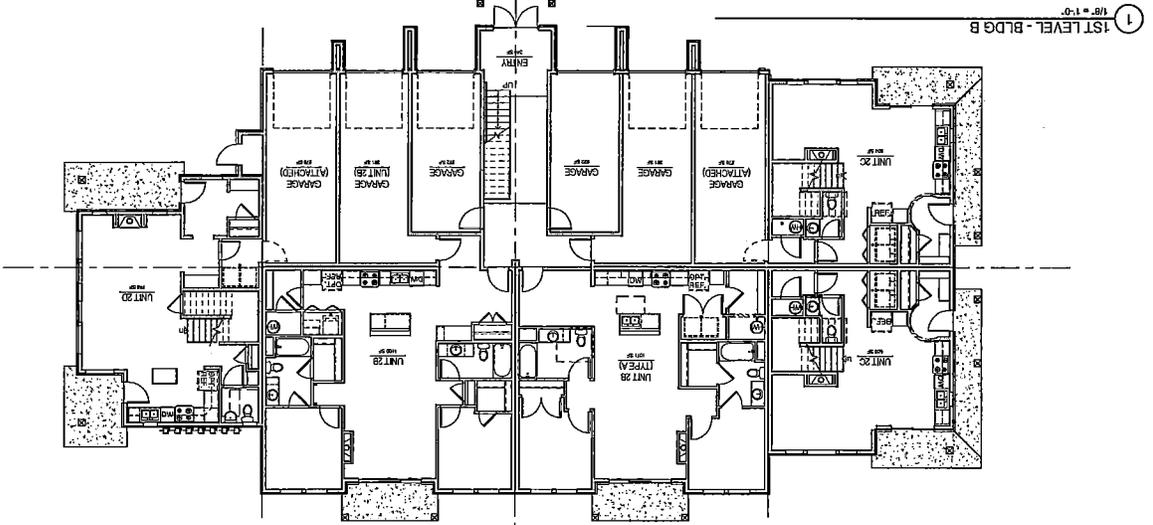
Blue River FLATS
1056, 1088, and 130 Blue River
Parkway Silverthorne, CO

FINAL SITE APPLICATION
DRAWN BY:
CHECKED BY:
ISSUE DATE: 07-20-2016
REVISIONS

BUILDING PLANS

A1.51

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Godden Sautik
Architects, Inc.

Blue River FLATS

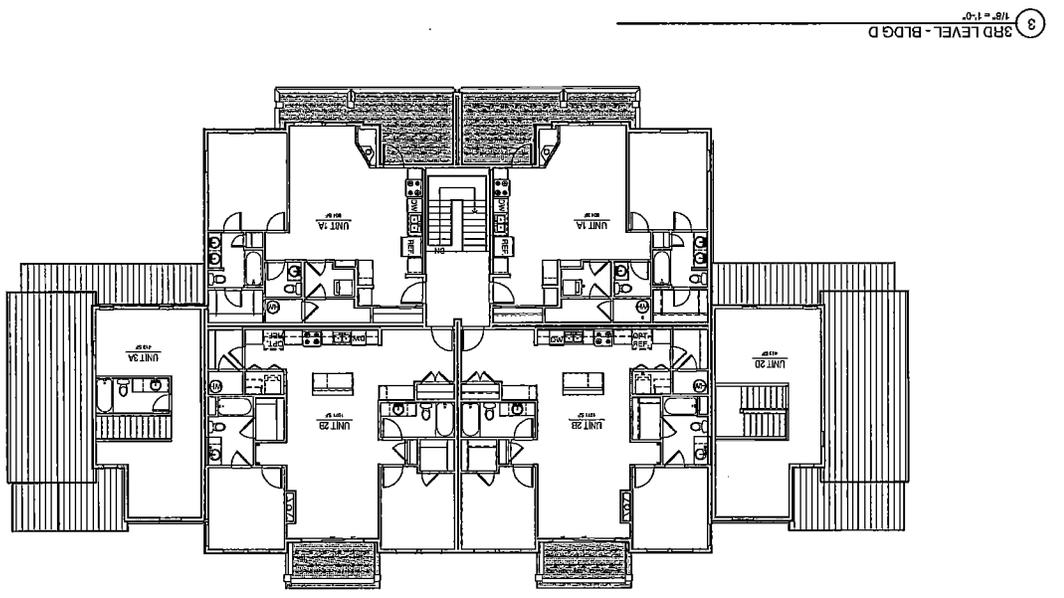
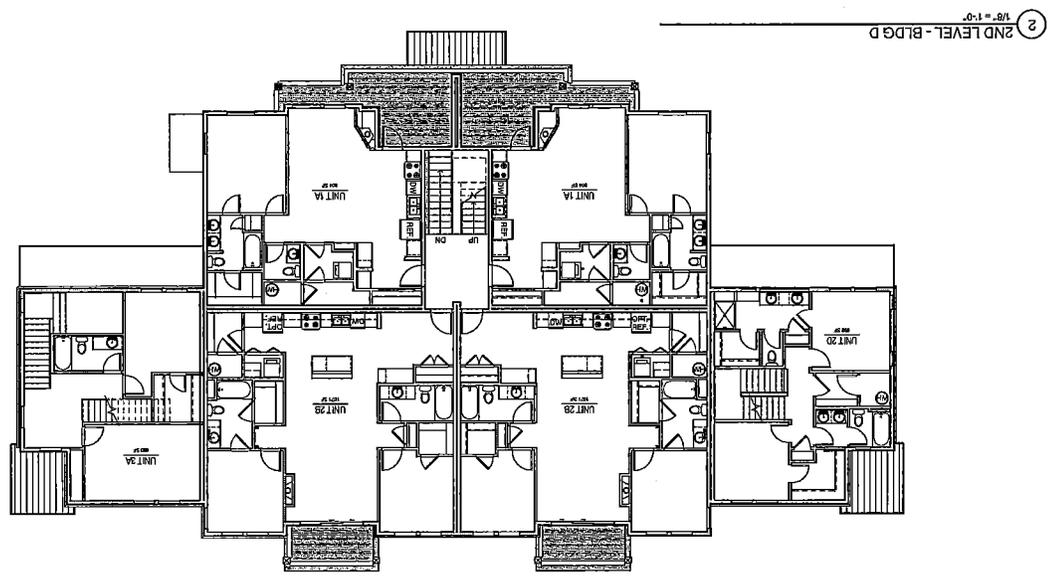
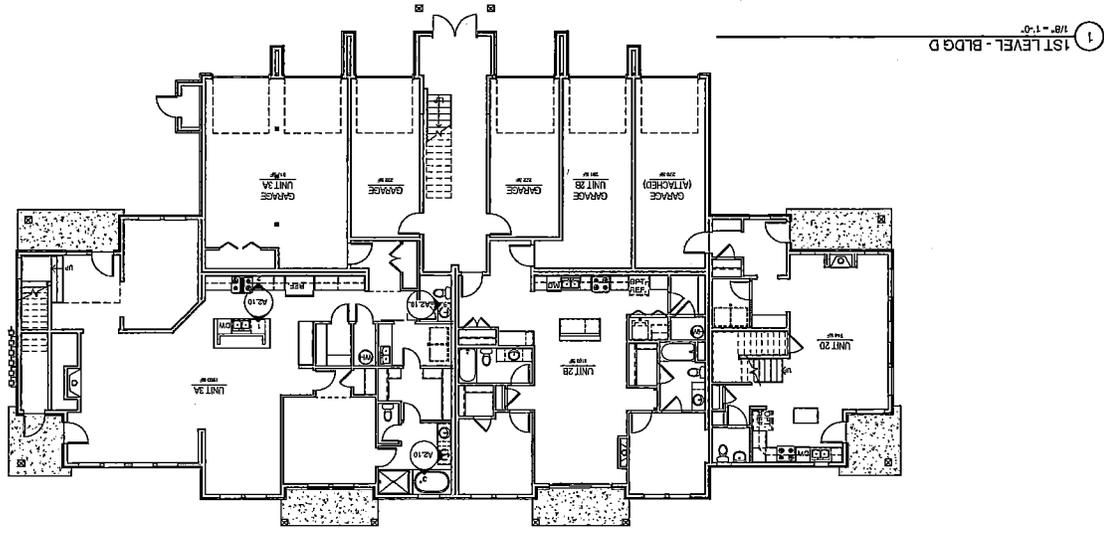
1056, 1088, and 1130 Blue River
Parkway Silverthorne, CO

FINAL SITE APPLICATION
DRAWN BY:
CHECKED BY:
ISSUE DATE: 07-20-2016

BUILDING PLANS

A1.53

Godden Sautik Architects, Inc. Denver, CO



BLUE RIVER FLATS - SILVERTHORNE FINAL PLAN APPLICATION SUBMITTAL

NO BUILDING SHALL EXCEED THE MAXIMUM BUILDING HEIGHT OF 15 FEET PER THE SILVERTHORNE RIVERFRONT DISTRICT DESIGN GUIDELINES.

WHERE POSSIBLE, ROOF PENETRATIONS SHALL BE GROUPEL TOGETHER, LOCATED ON REAR ROOF SLOPES AND SHALL NOT BREACH RIDGELINES. ALL ROOF PENETRATIONS SHALL BE PAINTED TO MATCH THE ROOF MATERIAL.

ROOF / ATTIC VENTS SHALL BE LOW-PROFILE AND SHALL BE PAINTED TO MATCH ROOF MATERIAL.

ELECTRICAL AND GAS METERS ARE SHOWN ON BUILDING ELEVATIONS. PLEASE REFER TO UTILITY PLAN FOR COORDINATE.

PLEASE REFER TO GRADING PLAN FOR LOT SPECIFIC GRADING.

NOT FOR CONSTRUCTION



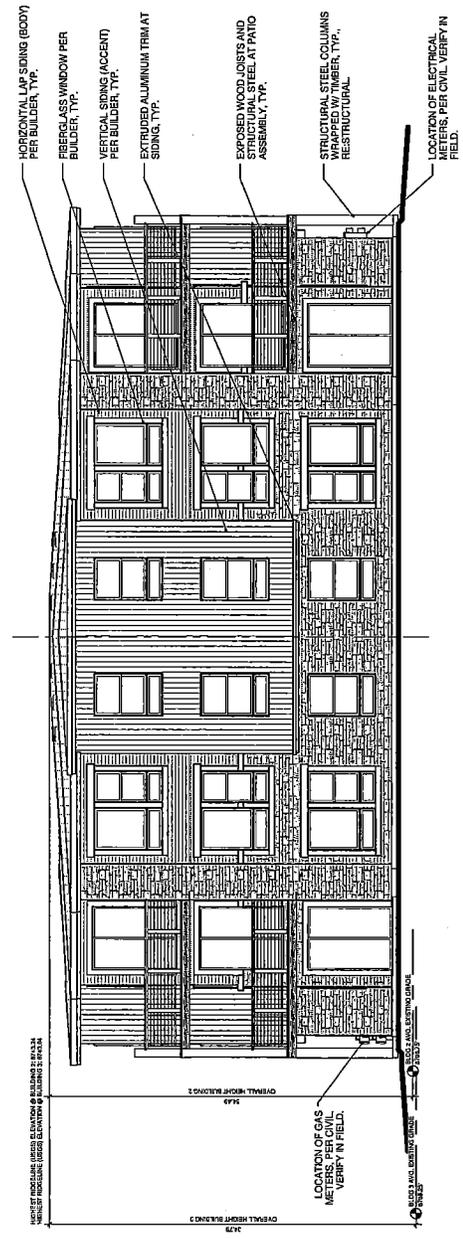
Godden | Sudik
ARCHITECT

Blue River Flats
1056, 1088, and 1130 Blue River Parkway Silverthorne, CO

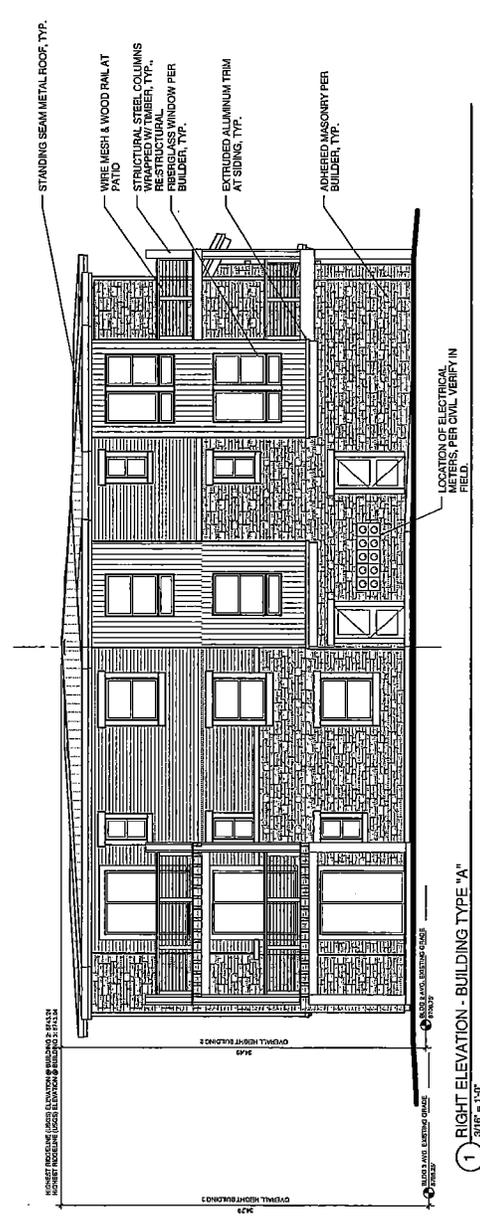
FINAL SITE APPLICATION	
DRAWN BY:	
CHECKED BY:	
ISSUE DATE:	07-20-2016
REVISIONS	

BUILDING A ELEVATIONS

A3.01



2 REAR ELEVATION - BUILDING TYPE "A"
SHEET # 147



1 RIGHT ELEVATION - BUILDING TYPE "A"
SHEET # 148

Godden | Sudik Architects, Inc.

NOT FOR CONSTRUCTION



Blue River Flats

1056, 1088, and 1330 Blue River Parkway, Silverthorne, CO

FINAL SITE APPLICATION	DRAWN BY:	CHECKED BY:	ISSUE DATE:
			07-20-2018
REVISIONS			

BUILDING D ELEVATIONS

A3.06

BLUE RIVER FLATS - SILVERTHORNE FINAL PLAN APPLICATION SUBMITTAL

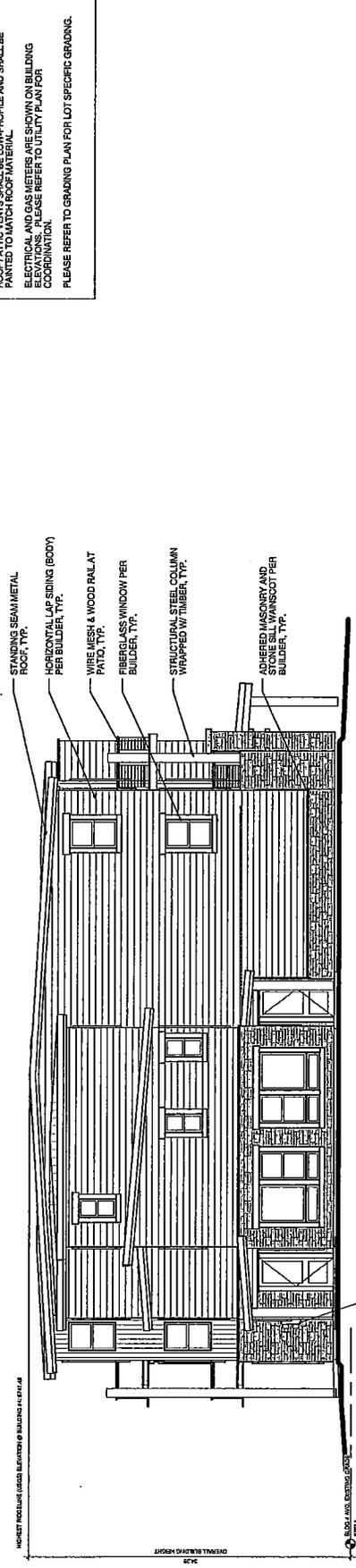
NO BUILDING SHALL EXCEED THE MAXIMUM BUILDING HEIGHT OF 35' AS PER THE SILVERTHORNE RIVERFRONT DISTRICT DESIGN GUIDELINES.

WHERE POSSIBLE, ROOF PENETRATIONS SHALL BE GROUPED TOGETHER AND FINISHED WITH A FINISH THAT DOES NOT DEBACH ROOFLINES. ALL ROOF PENETRATIONS SHALL BE PAINTED TO MATCH THE ROOF MATERIAL.

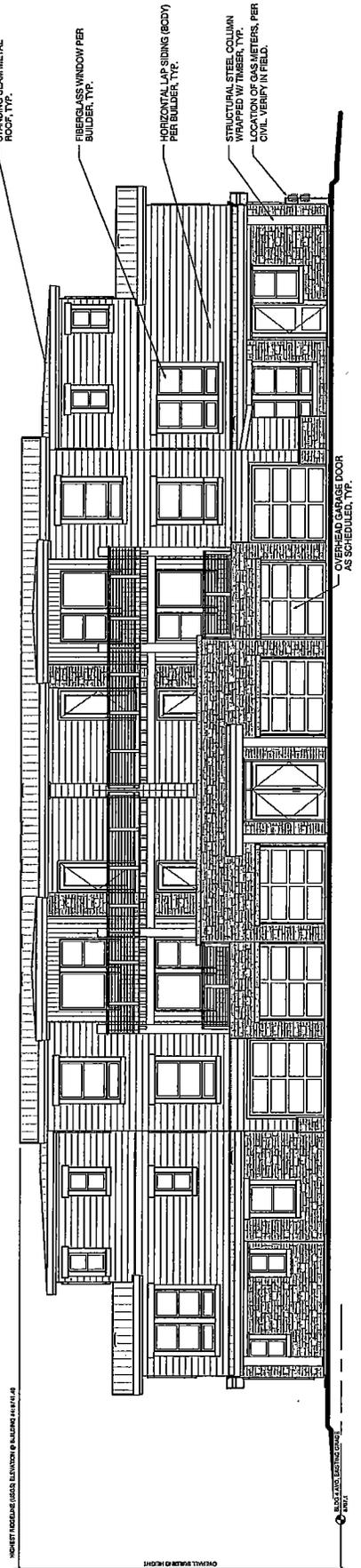
ROOF/LATIC VENTS SHALL BE LOW-PROFILE AND SHALL BE PAINTED TO MATCH ROOF MATERIAL.

ELECTRICAL AND GAS METERS ARE SHOWN ON BUILDING ELEVATIONS. PLEASE REFER TO UTILITY PLAN FOR COORDINATION.

PLEASE REFER TO GRADING PLAN FOR LOT SPECIFIC GRADING.

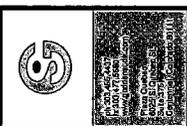


2 LEFT ELEVATION - BUILDING TYPE "D"
316' x 14'



1 FRONT ELEVATION - BUILDING TYPE "D"
316' x 14'

NOT FOR CONSTRUCTION



Godden | Studik
ARCHITECTS

Blue River Flats
1056, 1088, and 1130 Blue River Parkway Silverthorne, CO

FINAL SITE APPLICATION	DRAWN BY:
CHECKED BY:	ISSUE DATE:
07-20-2015	
REVISIONS	

BUILDING D ELEVATIONS

A3.07

BLUE RIVER FLATS - SILVERTHORNE FINAL PLAN APPLICATION SUBMITTAL

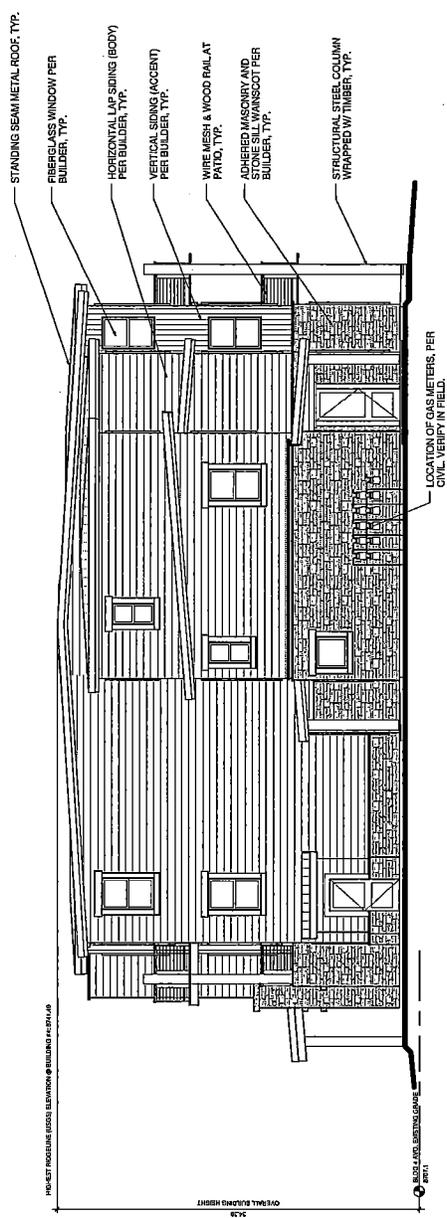
NO BUILDINGS SHALL EXCEED THE MAXIMUM BUILDING HEIGHT OF 35 FEET. THE SILVERTHORNE RIVERFRONT DISTRICT DESIGN GUIDELINES.

WHERE POSSIBLE, ROOF PENETRATIONS SHALL BE GROUVED TOGETHER, LOCATED ON REAR ROOF SLOPES AND SHALL NOT BREACH RIDGELINES. ALL ROOF PENETRATIONS SHALL BE PAINTED TO MATCH THE ROOF MATERIAL.

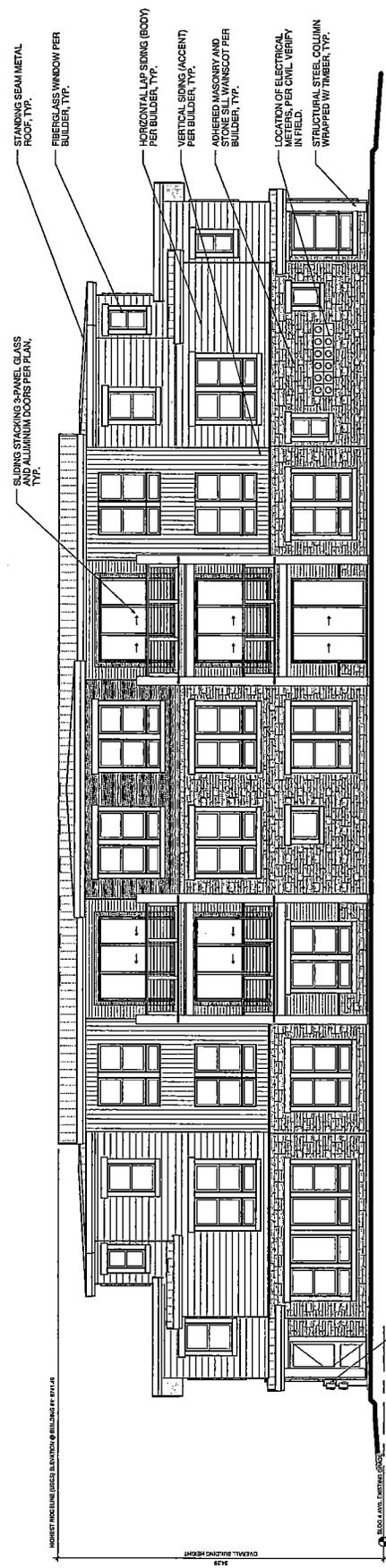
ROOF / ATTIC VENTS SHALL BE LOW-PROFILE AND SHALL BE PAINTED TO MATCH ROOF MATERIAL.

ELECTRICAL AND GAS METERS ARE SHOWN ON BUILDING ELEVATIONS. PLEASE REFER TO UTILITY PLAN FOR COORDINATION.

PLEASE REFER TO GRADING PLAN FOR LOT SPECIFIC GRADING.

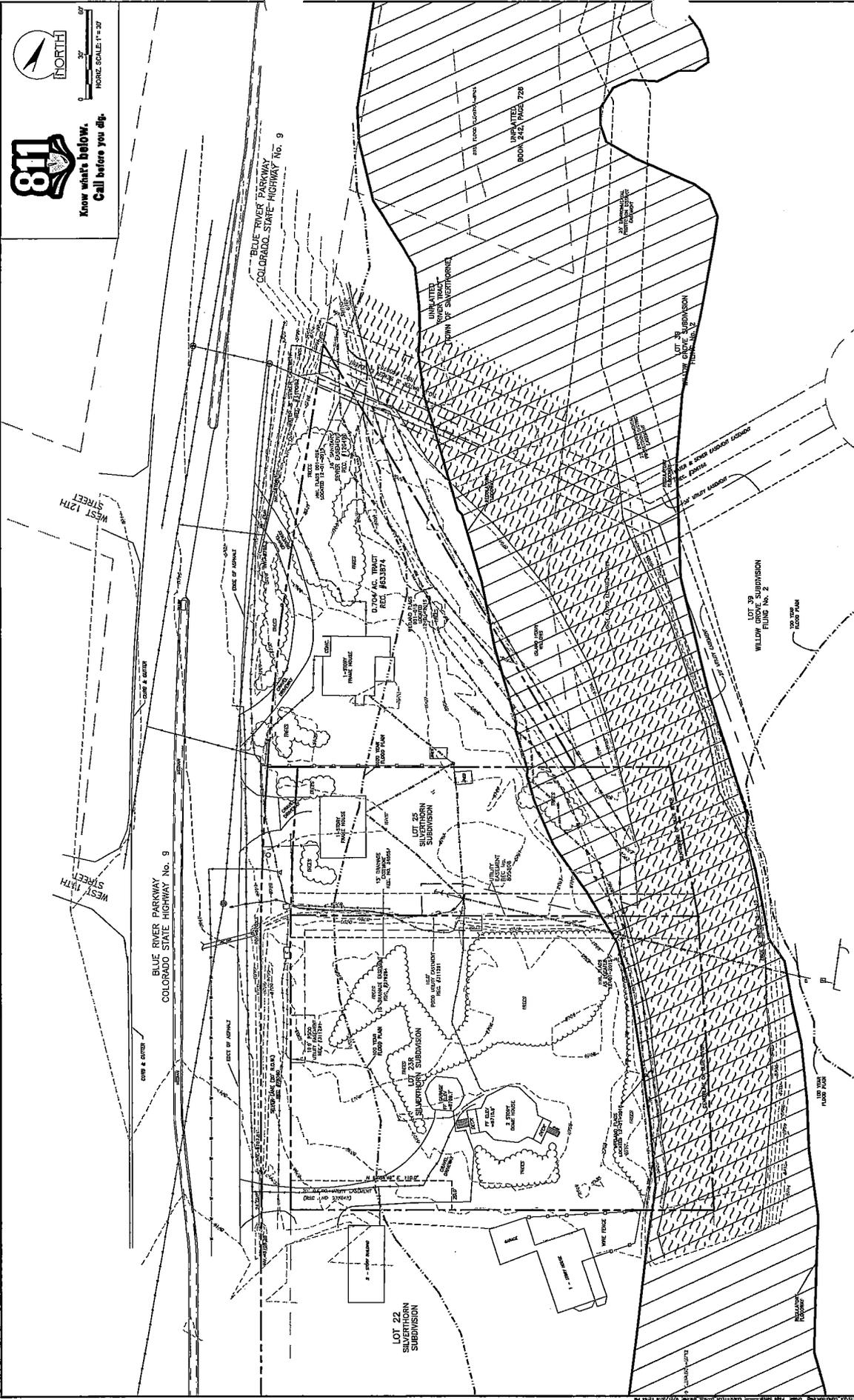


2 RIGHT ELEVATION - BUILDING TYPE "D"
3/16" = 1'-0"



1 RIVER ELEVATION - BUILDING TYPE "D"
3/16" = 1'-0"

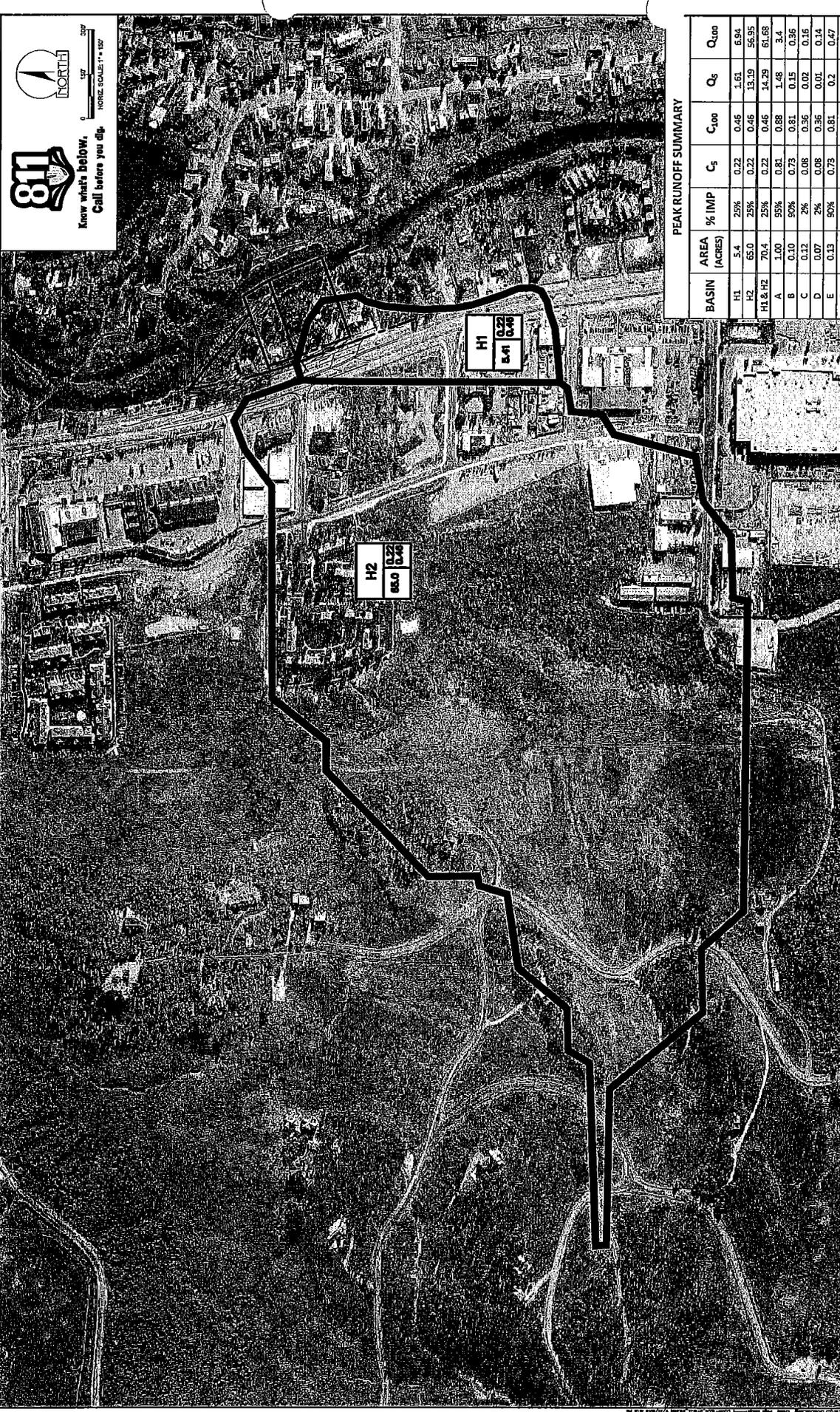
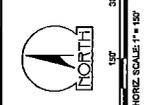
DATE: 07/20/2015



811
Know what's below.
Call before you dig.

NORTH
SCALE: 1" = 20'

DATE SEPT 2018		SHEET C2	
BLUE RIVER FLATS EXISTING CONDITIONS MAP			
UTILITIES RECORDED		DRAWN	
PLAN REVISION		CHECKED	
DESIGNED		TWC	
APPR.		APPR.	
DATE		DATE	
NO.		NO.	
REVISION		REVISION	
ECON PROJECT NO. 15-090-04-038			

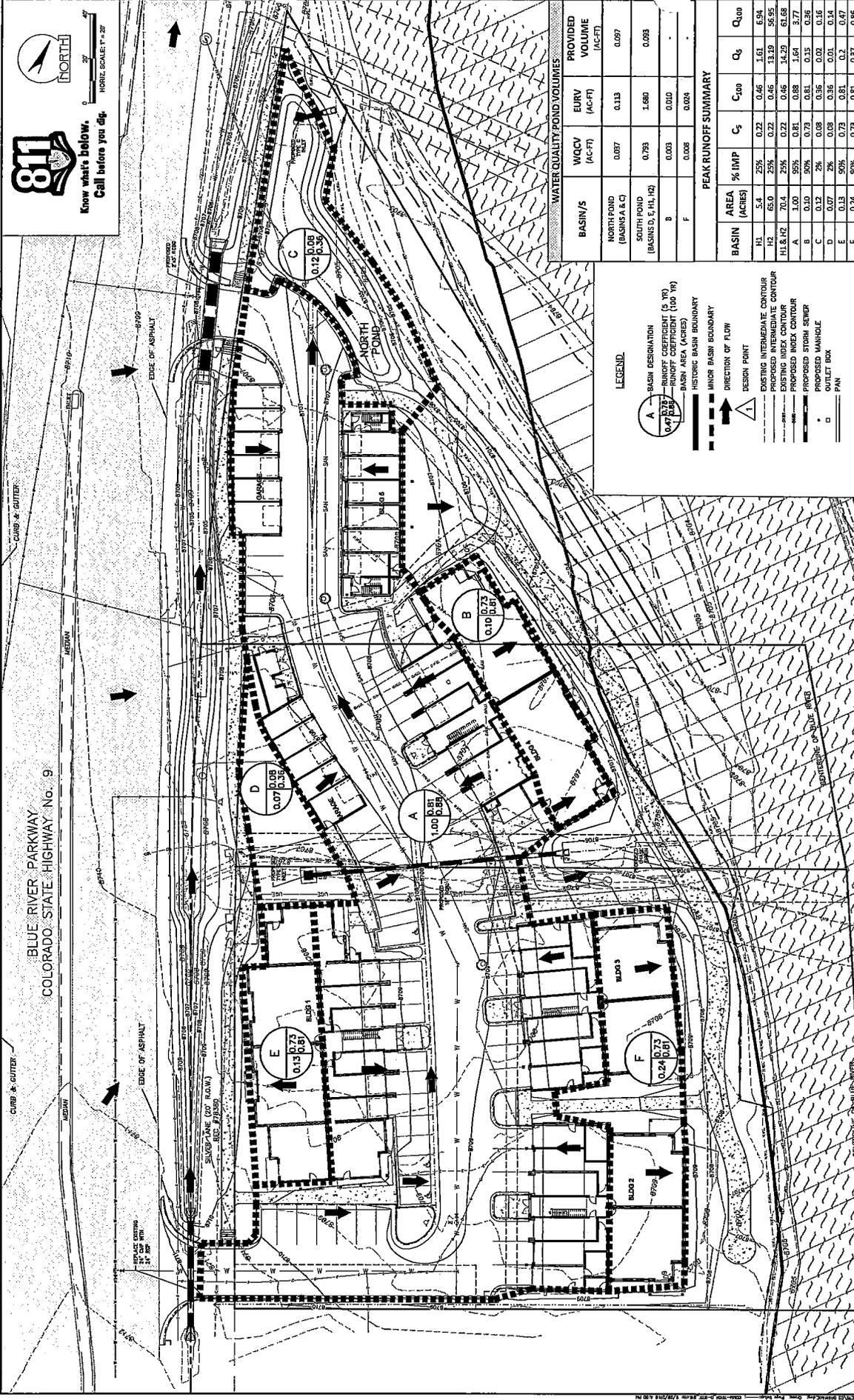


PEAK RUNOFF SUMMARY

BASIN	AREA (ACRES)	% IMP	C ₅	C ₁₀₀	Q ₅	Q ₁₀₀
H1	6.41	25%	0.22	0.46	1.61	6.94
H2	65.0	25%	0.22	0.46	13.19	56.35
H1 & H2	70.4	25%	0.22	0.46	14.79	61.68
A	1.00	95%	0.81	0.88	1.48	3.4
B	0.10	90%	0.73	0.81	0.15	0.36
C	0.12	2%	0.08	0.36	0.02	0.16
D	0.07	2%	0.08	0.36	0.01	0.14
E	0.13	90%	0.73	0.81	0.2	0.47
F	0.24	90%	0.73	0.81	0.37	0.86

				BLUE RIVER FLATS DRAINAGE PLAN - HISTORIC		DATE SEPT 2016
UTILITIES RESEARCHED		DRAWN		CHECKED		SHEET C5
PLAN DRAWN		MAP RESEARCHED		DESIGN CHECKED		APR.
DATE		APR.		CHECKED		TWC
NO.		DATE		CHECKED		TWC

ICON PROJECT No. 15-000-04-005



811
Know what's below.
Call before you dig.

BLUE RIVER PARKWAY
COLORADO STATE HIGHWAY No. 9

WATER QUALITY POND VOLUMES

BASIN/S	WQCV (AC-FT)	EURV (AC-FT)	PROVIDED VOLUME (AC-FT)
NORTH POND (BASINS A & C)	0.697	0.113	0.097
SOUTH POND (BASINS D, E, H1, H2)	0.793	1.680	0.093
B	0.003	0.010	-
F	0.008	0.004	-

PEAK RUNOFF SUMMARY

BASIN	AREA (ACRES)	% IMP	C _s	C ₁₀₀	Q ₁₀₀
H1	5.8	25%	0.22	0.46	0.61
H2	65.0	25%	0.22	0.46	13.19
H1 & H2	70.4	25%	0.22	0.46	14.29
A	1.00	95%	0.81	0.88	1.69
B	0.10	95%	0.73	0.81	0.15
C	0.12	2%	0.08	0.56	0.02
D	0.07	2%	0.08	0.56	0.01
E	0.13	95%	0.73	0.81	0.24
F	0.15	95%	0.73	0.81	0.27
	0.24	50%	0.73	0.81	0.37

- LEGEND
- A - BASIN DESIGNATION
 - 0.47 0.81 - RUNOFF COEFFICIENT (1. YR)
 - 0.24 0.27 - RUNOFF COEFFICIENT (100 YR)
 - BASIN AREA (ACRES)
 - MINOR BASIN BOUNDARY
 - HISTORIC BASIN BOUNDARY
 - DIRECTION OF FLOW
 - ▲ DESIGN POINT
 - EXISTING INTERMEDIATE CONTOUR
 - PROPOSED INTERMEDIATE CONTOUR
 - EXISTING 100% CONTOUR
 - PROPOSED 100% CONTOUR
 - PROPOSED STORM SEWER
 - WHOLE
 - OUTLET BOX
 - MAN

BLUE RIVER FLATS
DRAINAGE PLAN - DEVELOPED CONDITION

ICON ENGINEERING, INC.
1000 SOUTH DIXIE AVENUE, SUITE 100
DENVER, COLORADO 80202

SILVERTHORPE COLORADO

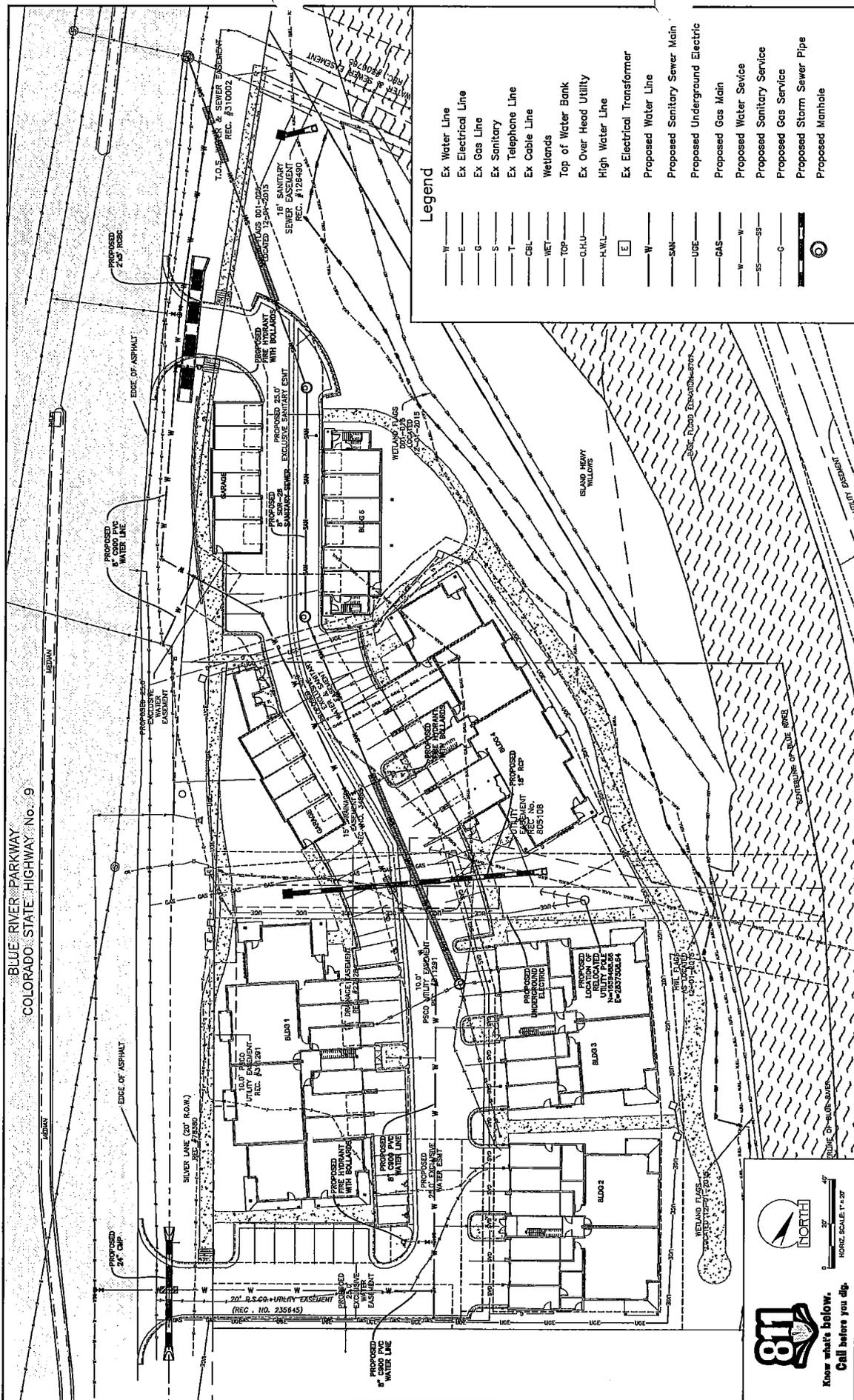
DATE	SEPT 2016
SHEET	C6

NO.	DATE	REVISION

DESIGNED	MA3	CHECKED	TWC
DRAWN	MA3	CHECKED	TWC
RESEARCHED		CHECKED	

CON. PROJECT NO. 16-003-SL-302

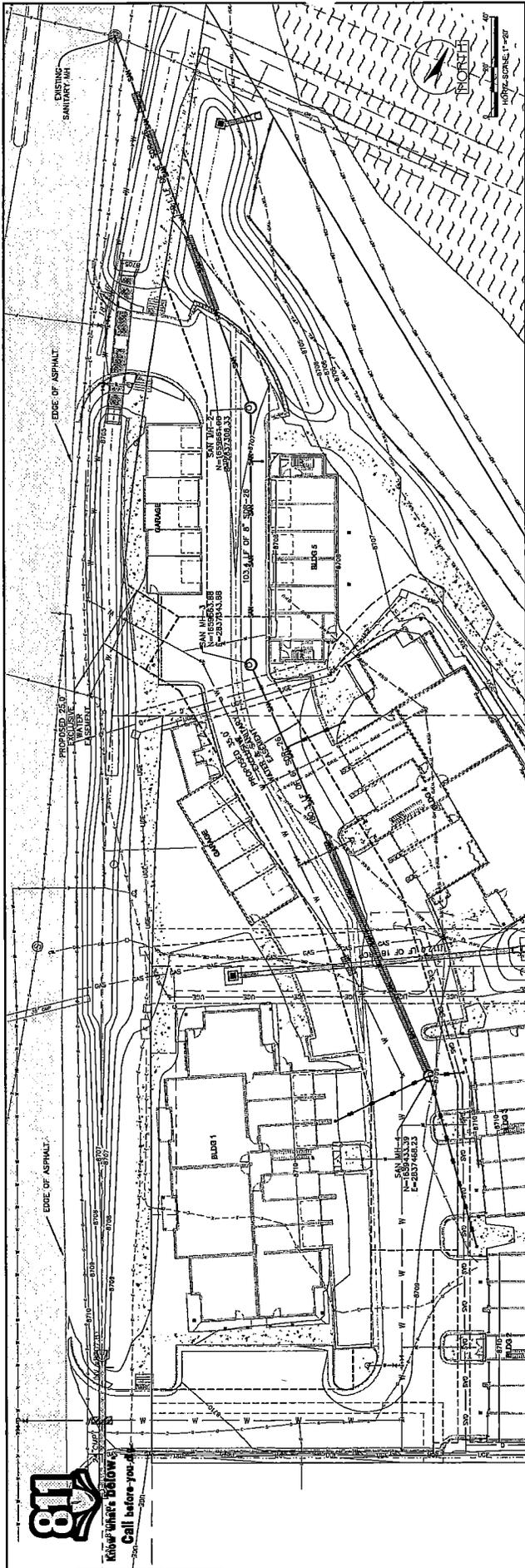
BLUE RIVER PARKWAY
 COLORADO STATE HIGHWAY No. 9



Legend

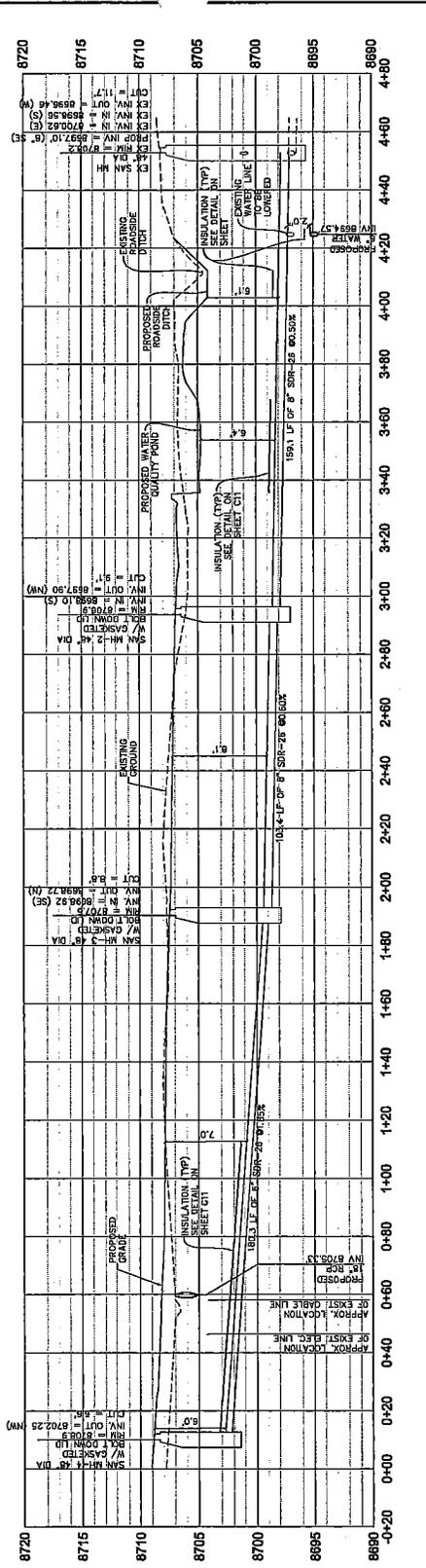
— W —	Ex Water Line
— E —	Ex Electrical Line
— C —	Ex Gas Line
— S —	Ex Sanitary
— T —	Ex Telephone Line
— CBL —	Ex Cable Line
WET	Wetlands
TOP	Top of Water Bank
O.H.U.	Ex Over Head Utility
H.W.L.	High Water Line
[E]	Ex Electrical Transformer
— W —	Proposed Water Line
— SAN —	Proposed Sanitary Sewer Main
— UGE —	Proposed Underground Electric
— GAS —	Proposed Gas Main
— W — W —	Proposed Water Service
— SS — SS —	Proposed Sanitary Service
— O —	Proposed Gas Service
—	Proposed Storm Sewer Pipe
⊙	Proposed Manhole

<p>Know what's below. Call before you dig.</p>		<p>NORTH</p>		<p>GRAPHIC SCALE 1" = 20'</p>	
PLAN	UTILITIES RESEARCHED	DRAWN	CHECKED	<p>DATE: SEPT 2018</p>	
MAS	DESIGNED	DRWN	CHECKED	<p>SHEET: C7</p>	
TWC	CHECKED	TWC	CHECKED	<p>PROJECT No. 18-000-08-002</p>	
<p>REVISIONS</p>				<p>ICON PROJECT No. 18-000-08-002</p>	
<p>APPR.</p>				<p>BLUE RIVER FLATS OVERALL UTILITY PLAN</p>	
<p>ICON ENGINEERING INC. 1000 SOUTH 10TH AVENUE DENVER, COLORADO 80202</p>				<p>DATE: SEPT 2018 SHEET: C7</p>	



- NOTES:
1. CONSTRUCT SANITARY SEWER SYSTEM IN ACCORDANCE WITH THE TOWN OF SILVERTHORNE SEWER SYSTEM CRITERIA.
 2. ALL PROPOSED SANITARY LINES SHALL BE INSTALLED WITH A 10-FT MINIMUM SEPARATION FROM ANY TREATED WATER LINE.
 3. ALL PROPOSED SANITARY MANHOLES SHALL HAVE GASKETED BOLT DOWN LIDS.
 4. HORIZONTAL INSULATION UNDER ROADWAYS MUST BE 100-PSI RATED.
 5. SEE SHEET C1 FOR INSULATION DETAILS.

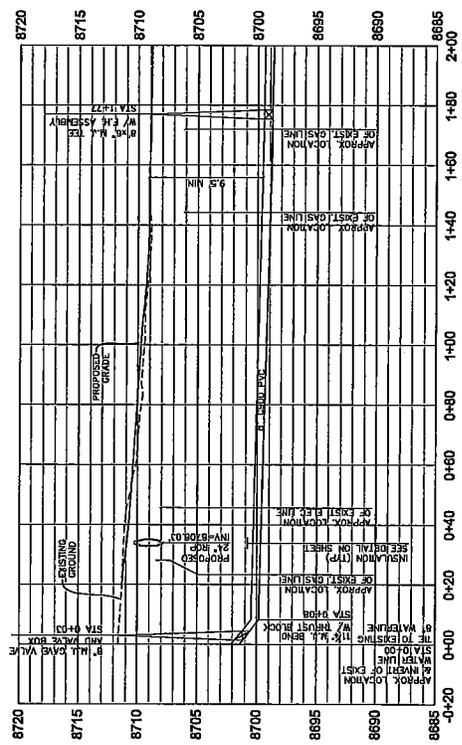
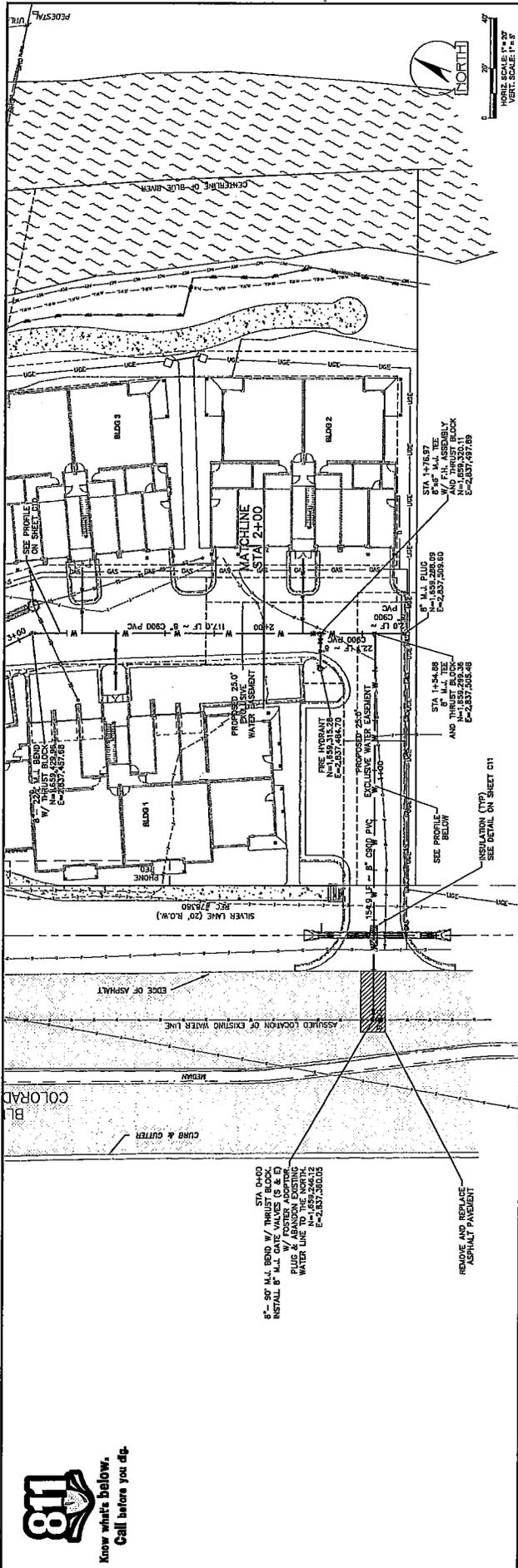
PROPOSED SANITARY LINE PROFILE
 HORIZ. SCALE: 1"=20'
 VERT. SCALE: 1"=5'



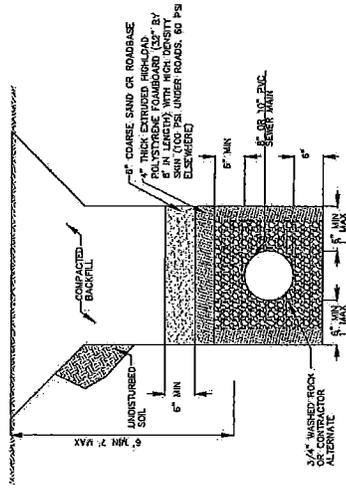
DATE SEPT 2018	PROJECT NO. 18-000-04-002			BLUE RIVER FLATS SANITARY SEWER PLAN & PROFILE		SHEET C8
PLAN DESIGNED CHECKED TWC	UTILITIES RESEARCHED DRAIN CHECKED			18-000-04-002	DATE	REVISIONS



Know what's below.
Call before you dig.



DATE	SEPT 2016	SHEET	C8
BLUE RIVER FLATS WATER PLAN AND PROFILE 1			
ICON ENGINEERING, INC.		SILVERTHORNE COLORADO	
PROJECT NO.	16-000-04-003	DATE	09/20/16
DESIGNED BY		CHECKED BY	
DRAWN BY		UTILITIES RESEARCHED	
DATE		REVIEWED	
NO.		DATE	



TYPICAL INSULATION DETAIL

TYPICAL INSULATION DETAIL

SCALE: N.T.S.

WATER NOTES:

1. ALL WATER MAIN SHALL BE 8-IN MINIMUM DIAMETER AND C900 PVC.
2. ALL WATER MAIN SHALL BE INSTALLED WITH CONDUCTIVITY CONNECTIONS.
3. ALL WATER MAIN SHALL BE INSTALLED WITH A 9.5-FT MINIMUM AND 12-FT MAXIMUM COVER FROM TOP OF PIPE.
4. WATERLINES WITH 6-FT TO 9.5-FT COVER SHALL BE INSULATED WITH 4-IN BLUEBOARD INSULATING MATERIAL.
5. WATERLINES LESS THAN 6-FT OF COVER SHALL INSULATED ON THREE SIDES (TOP AND BOTH SIDES) WITH 4-IN BLUEBOARD. SIDE INSULATION SHALL HAVE 60-PSI RATING.
6. ALL WATER SERVICES SHALL BE INSULATED UNDER ALL DRIVEWAYS, ROADWAYS, OR PARKING AREAS OR WHERE ANY PART OF THE SERVICE LINE IS LESS THAN 6.5-FT BELOW GROUND SURFACE.

SANITARY SEWER NOTES:

1. ALL SANITARY SEWER MAIN SHALL BE 8-IN MINIMUM DIAMETER AND SDR-35.
2. ALL SANITARY SEWER MAIN SHALL HAVE 12-FT MAXIMUM COVER FROM TOP OF PIPE.
3. ALL SANITARY SEWER WITH 6-FT TO 7-FT COVER SHALL BE INSULATED WITH 4-IN BLUEBOARD INSULATING MATERIAL.
4. SANITARY SEWER LESS THAN 4.5-FT TO 6-FT OF COVER SHALL INSULATED ON THREE SIDES (TOP AND BOTH SIDES) WITH 4-IN BLUEBOARD. SIDE INSULATION SHALL HAVE 60-PSI RATING.
5. HORIZONTAL INSULATION UNDER ROADWAYS MUST BE 100-PSI RATED.



UTILITIES RESEARCHED
DRAIN CHECKED

PLAN DRAIN MMS DESIGNER
CS CHECKED
TWC

APPR.

REVISONS

No. DATE

DATE

SHEET

CH1

DATE

SEPT 2018

BLUE RIVER FLATS

WATER & SEWER DETAILS

ICON PROJECT No. 16-004-01-020



LEGEND

- (P) INLET PROTECTION
- (RS) ROCK SOCK
- (SCL) SEDIMENT CONTROL LOG
- (CWA) CONCRETE WASHOUT
- (SF) SILT FENCE
- (CF) CONSTRUCTION FENCE
- (LOD) LIMITS OF DISTURBANCE
- (CD) CHECK DAM
- (VTC) VEHICLE TRACKING CONTROL
- (RR) RIPRAP
- (CUT) CUT AREA **
- (FILL) FILL AREA **

NOTES:

- BIRPS ARE NOT TO SCALE, AND LOCATIONS ARE DIRECTED BY THE EGS WITH APPROVAL BY THE ENGINEER.
- BIRPS ARE TO REMAIN UNLESS OTHERWISE DIRECTED BY THE ENGINEER. THE ENGINEER, BIRPS SHALL BE MAINTAINED AS NEEDED.
- SWEEPING TRASH REMOVAL AND SEDIMENT REMOVAL SHALL BE COMPLETED AT THE END OF EACH WORKING DAY.
- LOCATION OF STABILIZED STAGING AREA (SSA) AND CONTROLLED STAGING AREA (CSA) SHALL BE DETERMINED BY THE ENGINEER AND APPROVED BY THE TOWN PRIOR TO START OF GRADING.

** CUT AND FILL ARE BASED ON SURVEYS OBTAINED FROM THE SURFACE AND EXISTING SURFACE. NO ADJUSTMENT FOR TOLERANCES OF PAVEMENTS, UTILITIES, SEWERS, AND COMPACTION HAS BEEN INCORPORATED.

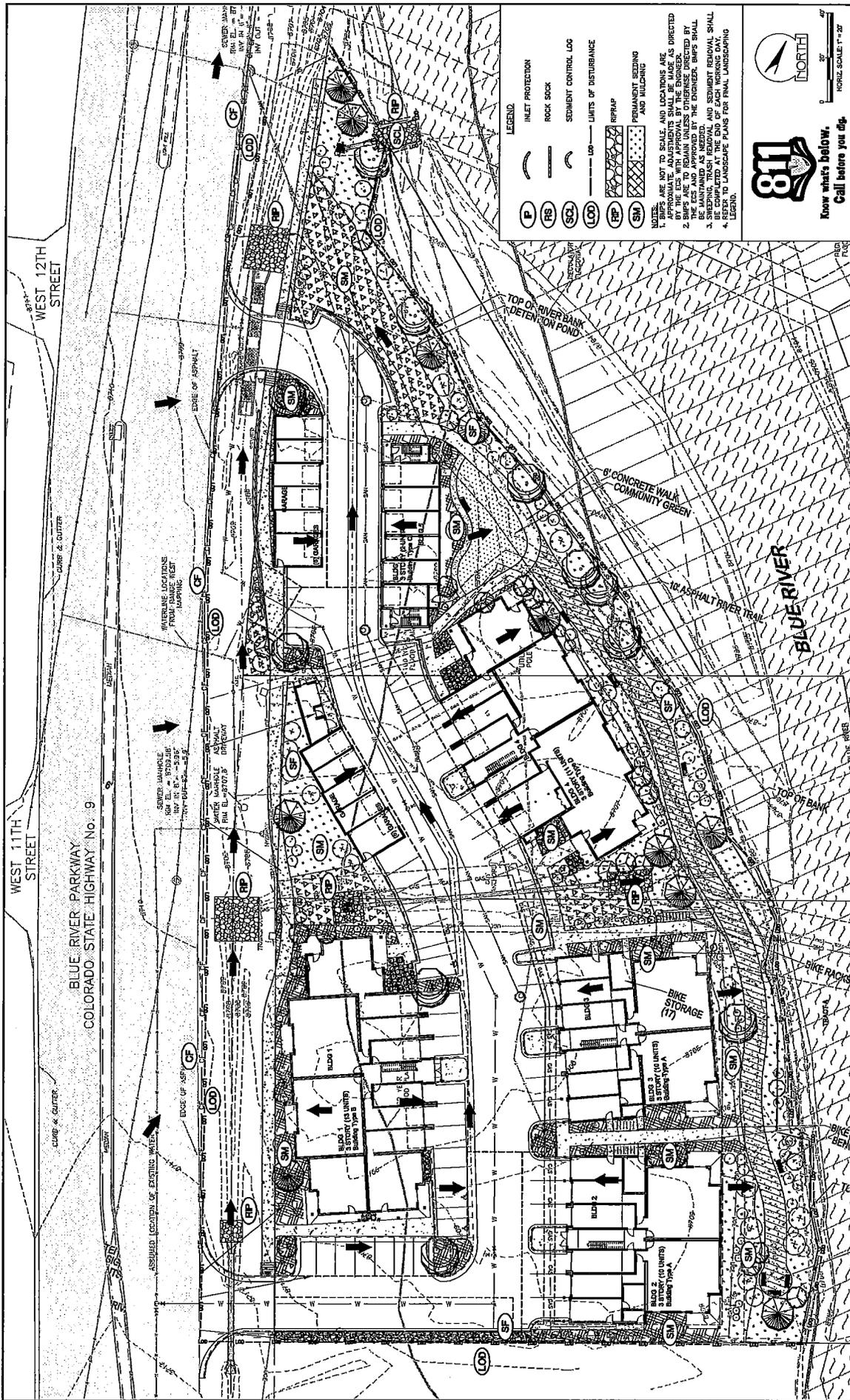
811

Know what's below.
Call before you dig.

DATE: SEPT 2018
SHEET: C14

ICON PROJECT No. 18-000-04-008

BLUE RIVER FLATS		EROSION AND SEDIMENT CONTROL - INITIAL & INTERM	
 ICON ENGINEERING, INC. 10000 PULVERHOFF AVENUE, SUITE 100 FORT COLLINS, CO 80526		 SILVERTHORN COLORADO 10000 PULVERHOFF AVENUE, SUITE 100 FORT COLLINS, CO 80526	
PLAN	UTILITIES RESEARCHED	DRAWN	CHECKED
MAS	RESEARCHED	TWC	TWC
DESIGNED	DRAWN	CHECKED	CHECKED
CHECKED	CHECKED	CHECKED	CHECKED
DATE	APPR.	REVISIONS	



LEGEND

- INLET PROTECTION
- ROCK SOCK
- SEDIMENT CONTROL LOG
- LIMITS OF DISTURBANCE
- PERMANENT SEEDING AND MULCHING
- RIFRAP

NOTES:

- BMPs ARE NOT TO SCALE, AND LOCATIONS ARE APPROXIMATE. ADJUSTMENTS SHALL BE MADE AS DIRECTED BY THE ERS AND APPROVED BY THE ENGINEER. BMPs SHALL BE COMPLETED AT THE END OF EACH WORKING DAY.
- BMPs ARE TO REMAIN UNLESS OTHERWISE DIRECTED BY THE ERS AND APPROVED BY THE ENGINEER. BMPs SHALL BE COMPLETED AT THE END OF EACH WORKING DAY.
- STREPPING, TRASH REMOVAL, AND SEDIMENT REMOVAL SHALL BE COMPLETED AT THE END OF EACH WORKING DAY.
- LEGEND TO LANDSCAPE PLANS FOR FINAL LANDSCAPING

811

Know what's below.
Call before you dig.

NORTH

HORIZ. SCALE: 1" = 20'

DATE SEPT 2018		SHEET C15	
BLUE RIVER FLATS EROSION AND SEDIMENT CONTROL - FINAL			
ICON PROJECT No. E-090-04-038			
PLAN	UTILITIES	RESEARCHED	RESEARCHED
DRAWN	DRAWN	DESIGNED	DRAWN
CHECKED	CHECKED	TRAC	CHECKED
APPR.	REWORKING		
No.	DATE		

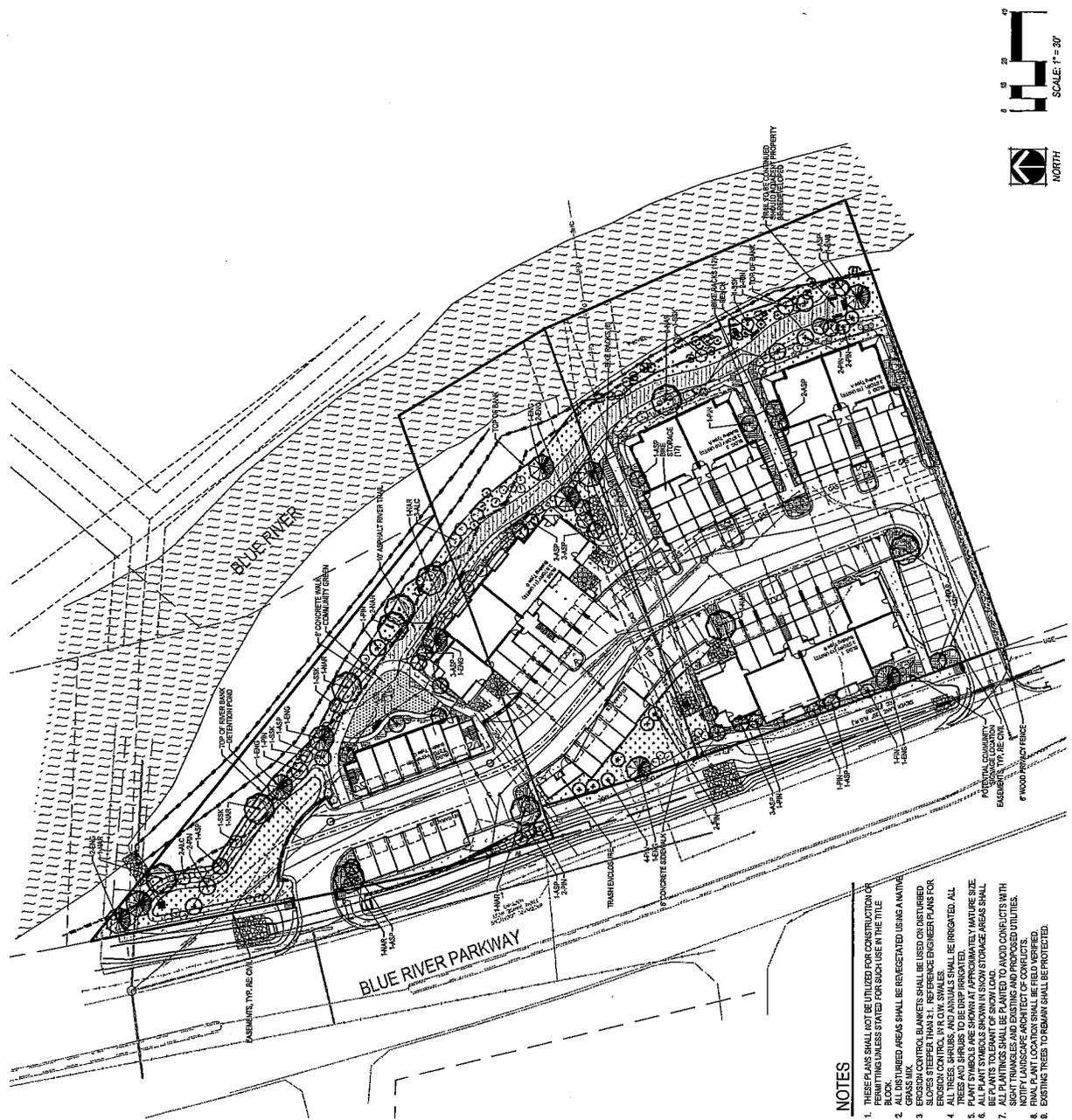
LEGEND

- EVERGREEN TREES
- DECIDUOUS TREES
- EXISTING TREES TO REMAIN
- SHRUBS
- ORNAMENTAL GRASS
- WYATTE GRASS SEED
- CRUSHER FINES
- CONCRETE
- RIVER ROCK COBBLE MULCH
- SOD LAWN
- LANDSCAPE BED
- ASPHALT PAVING

LANDSCAPE CALCULATIONS

SITE AREA	91,261 SF
TOTAL REQD LANDSCAPE	27,276 SF
5% XERISCAPE REDUCTION	28,169 SF
TREES REQD:	19,478 SF / 187 TREES
TOTAL TREES PROPOSED:	80
TOTAL BENCHES PROPOSED:	7
DECIDUOUS	43
CONIFEROUS	34
SHRUBS REQD:	2,600 SF / 131 SHRUBS
TOTAL SHRUBS PROPOSED:	154

NOTE: 1. ONLY TREES TO BE PROTECTED IN THIS SCALE. EXISTING TREES ARE NOT BEING CREDITED. TREES REQUIRED PLANTINGS AS CALIPER SIZES ARE UNKNOWN. 2. EACH BENCH IS EQUAL TO A SUBSTITUTION OF 1 TREE PER TOWN CODE.



NOTES

1. THESE PLANS SHALL NOT BE UTILIZED FOR CONSTRUCTION OR PERMITTING UNLESS STATED FOR SUCH USE IN THE TITLE.
2. ALL DISTURBED AREAS SHALL BE REVEGETATED USING A NATIVE GRASS MIX.
3. EROSION CONTROL BARRIERS SHALL BE USED ON DISTURBED AREAS UNTIL PERMANENT VEGETATION IS ESTABLISHED FOR EROSION CONTROL. (V.I.V. SWALES)
4. ALL TREES, SHRUBS, AND ANNUALS SHALL BE IRRIGATED. ALL TREES AND SHRUBS TO BE IRRIGATED.
5. ALL PLANT SYMBOLS SHOWN IN SNOW STORAGE AREAS SHALL BE PLANTS TOLERANT OF SNOW LOAD.
6. ALL PLANTINGS SHALL BE PLANTED TO AVOID CONFLICTS WITH EXISTING UTILITIES.
7. NOTIFY LANDSCAPE ARCHITECT OF CONFLICTS.
8. FINAL PLANT LOCATION SHALL BE FIELD VERIFIED.
9. EXISTING TREES TO REMAIN SHALL BE PROTECTED.

NOT FOR
 CONSTRUCTION

DATE:
 02/28/2016
 02/28/2016 PRELIMINARY SITE PLAN
 07/24/2016 FINAL SITE PLAN
 02/28/2016 FINAL SITE PLAN

SHEET TITLE:
 SNOW STORAGE PLAN
 STORAGE PLAN
 SHEET NUMBER:
 L-3

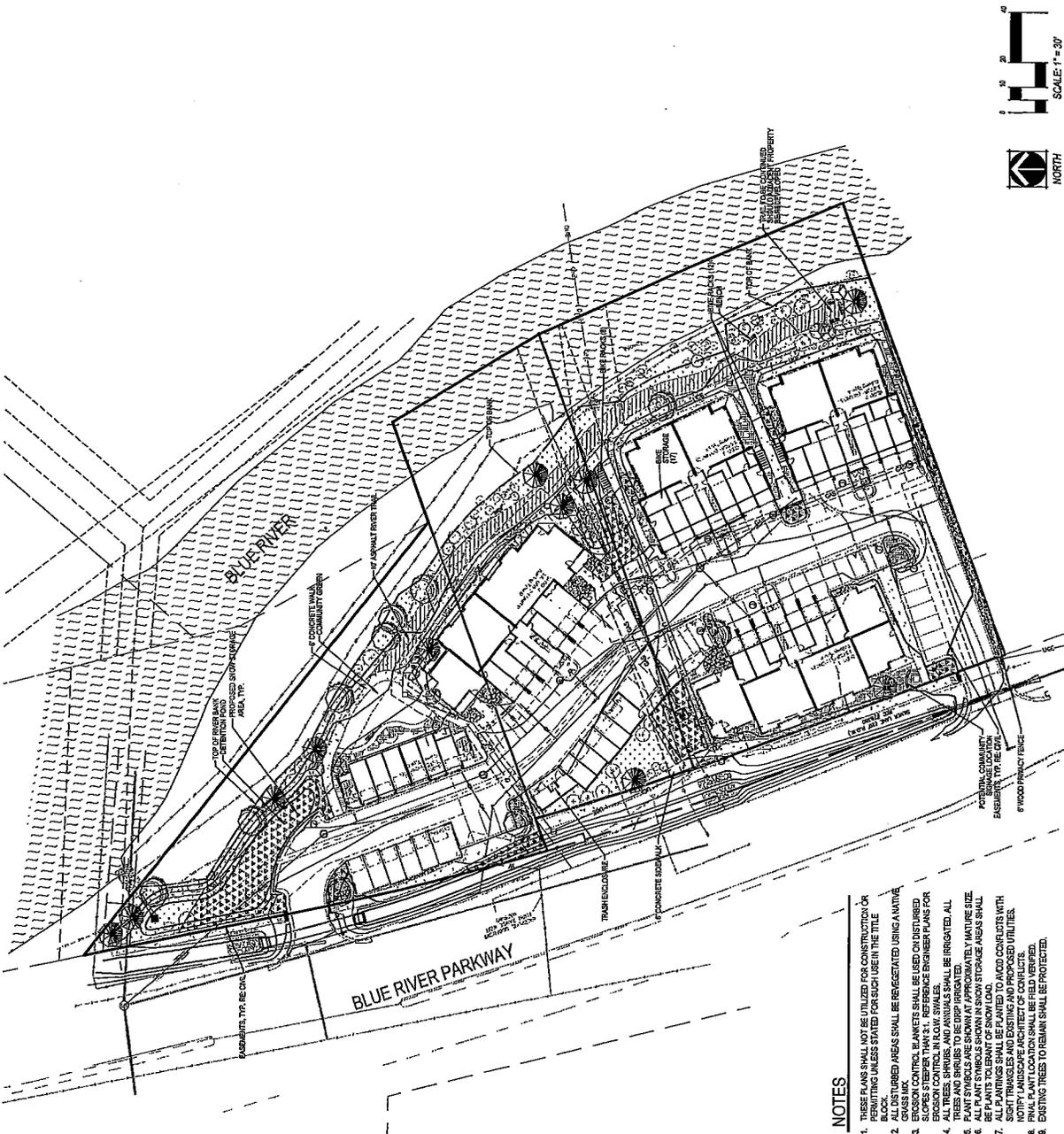
- LEGEND**
- EVERGREEN TREES
 - DECIDUOUS TREES
 - EXISTING TREES
 - SHRUBS
 - ORNAMENTAL GRASS
 - NATIVE GRASS SEED
 - CRUSHED FINES
 - CONCRETE
 - RIVER ROCK COBBLE RAUNCH
 - SNOW STORAGE AREAS
 - SOD LAWN
 - LANDSCAPE BED
 - ASPHALT PAVING

SNOW STORAGE CALCULATIONS
 TOTAL PARKING/SWALK AREA: 24,892 SQ. FT.
 SNOW STORAGE REQUIRED: 6,223 SQ. FT.
 SNOW STORAGE PROVIDED: 6,587 SQ. FT.

PARKING CALCULATIONS

CATEGORY	PARKING REQUIREMENTS	
	PARKING REQ'D PER UNIT	UNIT QTY
1 BEDROOM	1.5	10
2 BEDROOM	2	35
3 BEDROOM	2.5	1
VISITOR	1 PER 5 UNITS	46
SUBTOTAL		92
5% BIKER PARKING (REQUIRED SPACES/STOPS)		4.6
SUBTOTAL		96.6
HANDICAP		4
TOTAL		100.6

PARKING PROVIDED	
TYPE	PROVIDED
SURFACE	55
DETACHED COVERED	12
GARAGE	29
TOTAL	96



NOTES

1. THESE PLANS SHALL NOT BE UTILIZED FOR CONSTRUCTION OR PERMITTING UNLESS STATED FOR SUCH USE IN THE TITLE.
2. ALL DISTURBED AREAS SHALL BE REVEGETATED USING A NATIVE GRASS MIX.
3. GRASS MIX: PLANTS SHALL BE USED ORIGINATED FROM LOCAL SOURCES TO MAINTAIN RESISTANCE TO PESTS AND DISEASES FOR EROSION CONTROL IN LOW SLOPES.
4. ALL TREES, SHRUBS, AND ANNUALS SHALL BE IRRIGATED. ALL PLANT SYMBOLS ARE SHOWN AT APPROXIMATELY NATURAL SIZE.
5. ALL PLANT SYMBOLS SHOWN IN SNOW STORAGE AREAS SHALL BE PLANTS TOLERANT OF SNOW LOAD.
6. ALL PLANT SYMBOLS SHOWN IN SNOW STORAGE AREAS SHALL BE PLANTS TOLERANT OF SNOW LOAD.
7. NOTIFY LANDSCAPE ARCHITECT OF CONFLICTS.
8. FINAL PLANT LOCATION SHALL BE FIELD VERIFIED.
9. EXISTING TREES TO REMAIN SHALL BE PROTECTED.

NOTES:
 1 6' HIGH WOOD PRIVACY FENCE
 CEDAR FENCE TO BE STAINED
 DARK BROWN.



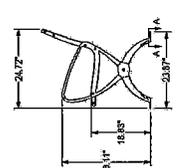
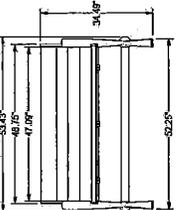
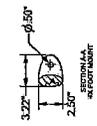
CONTACT:
 JAMES W. NORRIS, ARCHITECT
 PHONE: 970.388.1058
 EMAIL: JNORRIS@NORRISDESIGN.COM
 WEBSITE: WWW.NORRISDESIGN.COM

2 6' WOOD PRIVACY FENCE
 NTS

211 North Lincoln Blvd,
 St. Louis, MO 63141
 800.231.5277 and 314.771.0000
 www.anova.com

BH1894B - Boston Hill Database of Common Boards

4' x 6' x 12' boards with rounded ends, aluminum plates and cast iron armrests and legs.
 The 4' x 6' common board is comprised of 1" x 3.5" (1.5" nominal dimensional) hardwood and end grain.
 The aluminum plates are 1/2" thick and 18" long. The cast iron armrests and legs are 1/2" thick and 18" long.
 The 4' x 6' common board is 1/2" thick and 18" long. The aluminum plates and cast iron armrests and legs are 1/2" thick and 18" long.
 The 4' x 6' common board is 1/2" thick and 18" long. The aluminum plates and cast iron armrests and legs are 1/2" thick and 18" long.



SHIPPING INFORMATION

Part Name	Part No.	Qty	Weight (lb)	Volume (cu ft)	Shipping Class
4' x 6' x 12' Board	1894B	1	50	1	250
Aluminum Plate	1894A	1	50	1	250
Cast Iron Armrest	1894C	1	50	1	250
Cast Iron Leg	1894D	1	50	1	250

1 BENCH NTS
 SCALE: NTS



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Final Site Application: Blue River 50 – Silverthorne
Referral Agency RESPONSES:

Planning Department Review Comments & Response:

Planning Department Review Comments - Staff has reviewed the application for a Minor Subdivision and Final Site Plan for Blue River Flats. Please submit the following revisions:

Minor Subdivision – The purpose of the minor subdivision is to combine the three lots in the project site, reconfigure the easements, and create a Tract that will be dedicated to the Town.

- First page – The first page of the plat appears to show existing conditions. This is not necessary. Please show the proposed plat on one page with all the certifications, or show only the certifications on the first page. *RESPONSE: Comment Noted, Certificates are shown on page one, and the proposed plat is shown on page two.*
- Certificates – Please add a section to the owner’s certificate to clearly state that, by virtue of this plat, Tract A is hereby dedicated to the Town of Silverthorne. *RESPONSE: Section added.*
- Scale – The scale on Page 2 is not correct. Please revise. *RESPONSE: Scale has been corrected.*
- General Note on Easements – the different hatching patterns for the easements create a lot of clutter and reduce legibility of the plat. Please consider less busy hatching patterns and shading such that the plat and easement labels are easy to read. *RESPONSE: Hatch patterns adjusted for clarity.*
- Please create a ‘Lot 1’ (as an example) for the combined parcels, with the exact acreage. Please do the same for Tract A. Both Lot 1 and Tract A should be bounded with the same line heaviness, so that it’s clear that each is separate and stands alone from the other. *RESPONSE: Lot 1 and Track A has been created with the same heavy boundary lines.*
- Pedestrian Easement – Please label this easement ‘Multi-Use Recreational Trail Easement’. It should be clearly noted that the easement is 25 feet wide, and to scale. *RESPONSE: Trail has been re-labeled and a dimension has been added.*
- Access Easement – the access easement should be from the south property line, for a width of 24 feet. Please revise. *RESPONSE: Easement has been revised.*

Drainage Easement – the proposed drainage easement in the northernmost corner of the property is being shown in conjunction with the recreational trail easement. Please explain the need for this drainage easement, and how this portion of the property will function in the event that the Town would want to extend to trail to the sidewalk on HWY 9. The Town may accept a detention pond as proposed, but has concerns with combining that portion of the recreational trail easement with a drainage



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easement. Please clarify. *RESPONSE: The recreational trail easement has been taken out from the drainage easement. The drainage easement is for the water quality pond that is in place to enhance storm runoff from this improvements.*

- A portion of the gas line is not shown within the center utility easement. Please ensure that the utility easement that is shown in conjunction with the drainage easement captures the entirety of the gas line. See Utility Plan. *RESPONSE: The drawing has been revised to show a utility easement that captures the entirety of the proposed gas line.*
- A 5-foot utility easement is shown on the west portion of the unsubdivided 'triangle' parcel on the north end of the site. Is a 5-foot utility easement being created in that location? If so, what is the purpose of the easement? *RESPONSE: This easement was left over from the preliminary plat, and is not required on the Final Plat, it has been removed.*
- Please remove all labels that reference a 5-foot setback. *RESPONSE: Labels removed.*
- Water & Sewer Easement – the northern portion of this easement should be labeled 'Sanitary Sewer', not water. This is also true for the northern portion of the water line easement that is incorrectly labeled 'Sanitary Sewer'. *RESPONSE: Labels updated.*
- Plat note - Please add a plat note that reads: "No below grade improvements are allowed within the exclusive water and sewer easement without the written consent of the Town of Silverthorne". *RESPONSE: Note added.*
- Certificates – Please reorganize such that the Clerk and Recorder's certificate is on the bottom right hand corner. *RESPONSE: Clerk and Recorder's certificate has been moved to the bottom right corner.*
- Certificates – Please retitle treasurer's certificate to "Certificate of Taxes Paid". *RESPONSE: Treasurer's Certificate has been retitled.*
- Clerk and Recorder Certificate – Please revise to read as follows: *RESPONSE: Clerk and Recorder Certificate has been revised.*

CLERK AND RECORDER'S CERTIFICATE

This plat was accepted for filing in the office of the Summit County Clerk and Recorder on this ____ day of _____, 20__ A.D., at _____ a.m./p.m., and was recorded at Reception Number _____.

(Signature)
County Clerk and Recorder



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- Surveyor Certificate – Please revise the surveyor certificate such that it reads as follows:
RESPONSE: Surveyor's Certificate has been revised.

SURVEYOR'S CERTIFICATE

I do hereby certify that I am a registered Land Surveyor licensed under the laws of the State of Colorado, and do hereby certify that this plat is true, correct and complete as laid out, platted, dedicated and shown hereon, that such plat was made from an accurate survey of said property by me and under my supervision and correctly shows the location and dimensions of the lots, easements and streets of said subdivision as the same are staked upon the ground in compliance with applicable regulations governing the subdivision of land.

In witness thereof I have set my hand and seal this ____ day of _____ A.D., 20__.

(Signature)

Colorado Registered
Professional Land Surveyor

(Surveyor's Name)

Colorado Registration

Final Site Plan – Below are the comments related to the Final Site Plan:

- Parking – The site plan no longer shows the designated handicap parking spaces and associated striping. Please show the handicap spaces and striping clearly on the site plan. *RESPONSE: Handicap spaces have been clearly labeled on the site plan.*
- Site Plan – Please show the edges of the roof eaves on the site plan. This information is necessary to ensure that all building elements are within the property and meet the setbacks. *RESPONSE: Site Plan has been updated to show roof eaves.*
- CDOT Drainage Easement – It appears that the 30-foot drainage easement is proposed to remain in place. The proposed piping is within that 30-foot easement. However, the applicant is proposing a garage building within the drainage easement. Buildings cannot be located on easements. Please revise or clarify, or modify the drainage easement. *RESPONSE: Site plan has been revised to remove the garage building from the drainage easement.*



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- Landscaping – Staff counted approximately 20 trees located within the utility easement directly behind Buildings 2, 3, and 4. Please revise the Landscape Plan to address:
 - Standard 3.5.3 of the Riverfront District Design Standards and Guidelines states, “*Significant landscape materials, such as trees, shall be located outside utility easements. Planting trees over utility lines is prohibited*”.

RESPONSE: *Trees within the easement have been relocated.*

- Landscape Plan – Per Section 4-6-11.g.6, existing healthy trees can be credited for required landscaping. The applicant can consider this credit if needed.

RESPONSE: *Comment noted.*

Landscape Plan – Per Section 4-6-11.g.23, up to 10% of the required number of trees may be substituted for alternative forms of landscaping, including benches, picnic tables, etc. The applicant is proposing 6 benches, which may be substituted for required trees, if requested.

RESPONSE: *Thank you. This is not currently being requested.*

- Overhead Utilities – The applicant has requested that the Town consider a RETA that can be used at a future date to construct a bridge and fully underground the existing overhead utilities across the River. In addition, the applicant is proposing to dedicate Tract A, which encompasses the portion of the Blue River that is on the property to the Town.

Staff can support this arrangement, but only if the RETA applies to all sales of the condominiums, including the first sale. Please see the attached template of the RETA, prepared by the Town Attorney. RESPONSE: *Owners are working with the Town to come to a final agreement for the RETA, and have prepared models to discuss.*

- Elevations – Staff noted that the highest ridge elevations of the five buildings are now approximately 2 feet higher. Although it appears that the height maximums are being met, please explain what caused the changes in the heights of the buildings. RESPONSE: *The original calculations for building heights were measured from the finish floor of the building, not from existing grade. This was a technical mistake, and has been adjusted to show the overall height as measured from average existing grade.*
- Architecture – Building C – At the board meetings for the Preliminary Site Plan, the architecture of Building C was discussed. The applicant indicated that they would make changes to address the comments. What changes were made to the design of Building C? RESPONSE: *Building C has been enhanced more windows, added more stone to the front elevation, and scaled down the massing to more of a human scale.*



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Fire Department Review Comments & Response:

1. The proposed fire hydrants (3) shown on Sheet C7 is acceptable to the fire department. Fire hydrants shall be installed, tested, and accepted by the water department prior to any combustible construction on the site. Bollard protection may be required for all fire hydrants. *RESPONSE: Comment noted.*
2. Except for the South entrance, shown as 24 feet, the civil drawing shall indicate project road width at 26 feet. This will accommodate aerial apparatus access and minimize confusion during site construction. Overhead utility and powerlines shall not be located over aerial apparatus access road or between the aerial apparatus access road and the buildings. *RESPONSE: Dimensions have been added to more clearly show the road widths.*
3. An approved fire sprinkler system is required in all buildings for this project except the stand-alone garages. Size waterlines into each building to meet fire sprinkler demand and domestic water needs. Have fire sprinkler contractor contact fire department for permit details. *RESPONSE: Comment noted.*
4. An approved fire alarm system is required for each building. Have fire alarm contractor contact fire department for permit details. *RESPONSE: Comment noted.*
5. An approved standpipe system shall be installed in all buildings where the floor level of the highest story is more than 20 feet above the lowest level of fire department vehicle access. *RESPONSE: Comment noted.*
6. Site landscaping shall not visually or physically obstruct access to fire hydrants and other fire appurtenances. *RESPONSE: Proposed landscape meets this requirement.*
7. Remove snow storage area around fire hydrant at Southeast corner of Building 1. *RESPONSE: The snow storage plan has been updated.*
8. Suggest a meeting with the developer to address the issues outlined above. *RESPONSE: Comment noted, applicant team will set up a meeting prior to building permit submittal.*

Utility Department Review Comments & Response:

General: The Town of Silverthorne has sufficient water and sewer capacities in the adjacent right of way to serve the proposed project.

Notes on Plans:

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1. The Civil Engineer has been great to work with! Design is much improved over what we first saw – we will make minor changes prior to construction (5a and 7a below)
2. Sheet C1
 - a. Garage building with trash enclosure extends into PSCo easement *RESPONSE: Garage building has been removed from the easement.*
 - b. Trail on West side is only 6 feet wide, and is against (and under the overhang of) the north garage building *RESPONSE: Snow guards will be used on the roof to prevent snow from falling onto the path.*
 - c. The north garage building encroaches into a depicted setback *RESPONSE: The garage building is no longer shown in the setback, a 0' setback is being utilized at this location per town code requirements.*
 - d. The river trail should connect to the highway trail instead of stopping at the east side of the north parking lot in the future. Drainage Easement in that location? *RESPONSE: The river trail connects to the community green and provides a crossing to the sidewalk trail mid-site.*

3. Sheet C2
 - a. There are two, not just one, active 8" ductile iron pipe crossings of Hwy 9 at the north end of the project, to improve reliability, this project will connect to both *RESPONSE: Comment noted.*
4. Sheet C7
 - a. The hydrant at the north entrance should be moved to the east of the trail or connected more directly - straight west - to the water main and insulated *RESPONSE: Hydrant is now connected to the existing water directly west.*
 - b. Move hydrants back to at least 3' behind curbs *RESPONSE: Hydrants moved to be at least 3' behind curbs.*
 - c. Bollards are not required on the building side of hydrants *RESPONSE: Comment noted.*
5. Sheet C10
 - a. A high point is created in the water main which would require an air relief valve, instead maintain depth from Station 6+00 to Station 7+30 to eliminate two vertical offsets and the air relief at the high point *RESPONSE: Comment noted.*
6. Sheet C11
 - a. Water Note 8: "Fire Hydrant" [we agree?] There may have been more to this note that was omitted? *RESPONSE: Note revised.*
7. Sheet L-2
 - a. Remove trees from within 10 feet of all water mains, hydrants, and sewer mains *RESPONSE: The landscape plan has been updated.*
8. Sheet L-3
 - a. No snow storage permitted within 5 feet of fire hydrants



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RESPONSE: The snow storage plan has been updated.

SPORT Committee Review Comments & Response:

SPORT is concerned about the lack of pedestrian crossing opportunities for over a mile to the north and ¼ mile to the south. This creates a dangerous situation where pedestrians will cross at random points. More acceptable pedestrian crossing areas should be proposed.

RESPONSE: The team agrees that a crossing area would reduce potentially dangerous crossing situations across the highway, however this request is out of the scope of this project.

Public Works Department Review Comment & Response:

1) Development within the floodplain and FEMA permitting.

Most of the project site is located within the FEMA mapped 100-year floodplain.

Development within the floodplain is permissible as long FEMA, State and local standards can be met. The two main criteria include 1) elevating the lowest floor elevations to be at least one (1) foot above the FEMA mapped and published Base Flood Elevations (BFEs), and 2) performing scientific analysis and modeling to evaluate the effects that proposed fill would have on water surface elevations. Per State and local standards, development is allowed as long as it can be demonstrated, via scientific modeling, that changes to BFEs are equal to or less than 0.5 feet.

The Applicant provided a floodplain analysis performed by Wright Water Engineers (WWE), dated February 15, 2016. The study concluded, that the post-project maximum change to the floodway water surface elevations would be 0.29 feet higher, which is less than the 0.5 foot threshold – and thus allowed by FEMA, State and local regulations.



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FEMA has since reviewed and approved the study and has issued the CLOMR-F permit, which stands for “Conditional Letter of Map Revision based on Fill.” This permit is FEMA’s official approval of the proposal to fill the site for development per the current site plan. Silverthorne Staff required the CLOMR-F as a condition of approval at Preliminary – and this has been satisfied.

With respect to building elevations, all are shown to meet or exceed the one (1) foot minimum elevation above the BFE. This will also be confirmed by survey and Elevation Certificates during construction.

RESPONSE: Comment noted.

2) Proposed encroachments into Xcel easements.

The site is encumbered with several different easements. Of particular interest are two (2) Xcel utility easements which proposed buildings are shown to encroach into. At Preliminary review, Silverthorne staff required that the Applicant obtain permission from the easement Owner, Xcel for these encroachments in order for to move forward to Final. The Applicant has since provided an email from Xcel stating that Xcel has no objections to the proposed encroachments.

RESPONSE: Comment noted.

3) Access / CDOT Access Permit

The Applicant has received from CDOT and has provided to the Town two (2) Access Permits for the project – one for each the northern and southern access points. CDOT has accepted the current access points and configurations and is not requiring any additional highway improvements such as accel/decel lanes, turning movement restrictions or anything else.

RESPONSE: Comment noted.

4) Grading and Drainage

Staff has reviewed the Grading and Drainage Plan, and finds that it meets the Town’s requirements.

RESPONSE: Comment noted.

5) Plat – Tract A dedication

Please specify on the plat that Tract A will be dedicated to the Town.



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RESPONSE: Comment noted, drawings revised.

6) Sidewalk and Landscape Wall proposed within CDOT right-of-way

CDOT permission and the appropriate permitting for these improvements will be required.

The sidewalk will be privately maintained until such time that it connects to a larger, contiguous Town path system.

It is recommended that the sidewalk be at least a few feet away from the buildings for snow maintenance / plowing activities.

RESPONSE: CDOT has expressed that they have no issues with the small amount of sidewalk that is in the Right-Of-Way. The applicant team is actively pursuing a permit for this sidewalk with CDOT.

US Army Corps of Engineers Review Comments & Response:

Regulatory Division SPK-2016-00174

Attn: Lina M. Lesmes
Town of Silverthorne
601 Center Circle
Silverthorne, Colorado 80498

Dear Ms. Lesmes

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We are responding to your request for comments on the Blue River Flats project. The project site is located along the Blue River, Latitude 39.643814°, Longitude -106.077666°, Town of Silverthorne, Summit County, Colorado.

The Corps of Engineers' jurisdiction within the study area is under the authority of Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States. Waters of the United States include, but are not limited to, rivers, perennial or intermittent streams, lakes, ponds, wetlands, marshes, wet meadows, and seeps. Project features that result in the discharge of dredged or fill material into waters of the United States will require Department of the Army authorization prior to starting work.

To ascertain the extent of waters on the project site, the applicant should prepare a wetland delineation, in accordance with the "Minimum Standards for Acceptance of Preliminary Wetlands Delineations" and "Final Map and Drawing Standards for the South Pacific Division Regulatory Program" under "Jurisdiction" on our website at the address below, and submit it to this office for verification. A list of consultants that prepare wetland delineations and permit application documents is also available on our website at the same location.

The range of alternatives considered for this project should include alternatives that avoid impacts to wetlands or other waters of the United States. Every effort should be made to avoid project features which require the discharge of dredged or fill material into waters of the United States. In the event it can be clearly demonstrated there are no practicable alternatives to filling waters of the United States, mitigation plans should be developed to compensate for the unavoidable losses resulting from project implementation.

Please refer to identification number SPK-2016-00174 in any correspondence concerning this project. If you have any questions, please contact me at our Grand Junction Regulatory Office, 400 Rood Avenue, Room 224, Grand Junction, Colorado 81501, by email at Matthew.R.Montgomery@usace.army.mil, or telephone at 970-243-1199 Ext. 1017. For more information regarding our program, please visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Matt Montgomery
US Army Corps of Engineers
Senior Project Manager, CO West Branch
Sacramento District
400 Rood Avenue, Room 224
Grand Junction, Colorado 81501
970-243-1199 Ext: 1017

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RESPONSE: Comments noted, Our development within the depicted Study Area avoids impacts (i.e. the discharge of dredged or fill material) to the mapped wetlands and other waters, so it is not necessary to obtain Section 404 of the Clean Water Act authorization from the U.S. Army Corps of Engineers.

Park & Wildlife Review Comments & Response:

Summary of Comments:

"CPW encourages Blue River Flats and Town of Silverthorne Planning Department to afford the highest protection for Colorado's wildlife species and habitats.

CPW reviewed the Blue River Flats application materials, and found that reports did not include a wildlife report or wetlands report. A wetlands study area map was included but was not accompanied by any description of the study or plans for protection. CPW is specifically concerned about the proposed site plan that appears to eliminate all of the existing riparian vegetation along the Blue River, and build structures and a paved path within the existing wetland/riparian buffer. This proposal is out of character with existing residential development along the Blue River in Silverthorne the adjacent properties all maintain a buffer of trees and shrubs along the bank of the river.

The final site plans do not include a wetlands buffer of any distance, and in fact shows the entirety of the wetlands and riparian habitat being cut and developed into a "community green" area including a paved walking path.

CPW recommends a minimum of 50' wetland buffer for all development, including building sites, roads, parking lots, and paths to reduce impacts and maintain some ability for wildlife to pass through the area. CPW also recommends eliminating the proposed community green area and paved path, and instead maintaining the existing riparian shrubs and trees. CPW understands that this amendment will require a reduction in density of units and parking spaces to reduce the overall footprint of the project, as the proposed site plan utilized a majority of the space on the property including the riparian zone, If the existing wetland/riparian habitat is disturbed or impacted, CPW requests that mitigation occur to create new wetland habitat equal of greater than the permanently impacted area. CPW further recommends that unless necessary for fire mitigation, no landscaping live tree removal or native vegetation removal be permitted within the buffer zones.

Potential impacts to bird species due to tree and vegetation removal along the blue river are of concern to CPW.

CPW recommends that all new housing developments in Summit County, including Blue River Flats, require and enforce the following overnight garbage restrictions...



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...CPW advises the Town of Silverthorne and the Blue River Flats HOA to incorporate the above trash policies into their requirements, covenants and restrictions to help prevent future bear conflicts in the proposed development.

CPW is concerned about an increase in conflicts with moose.

CPW recommends that the Blue River Flats HOA require that pets must be controlled with leashes while on the property, prohibit dogs and cats from roaming freely, and require pets to be fed indoors.

CPW recommends development of a Blue River Flats reclamation and weed managements plan that includes removal and control of non-native weeds during the construction period, annual monitoring and control post-development, and reseeding of disturbed areas to maintain health vegetation and prevent further spread of weeds along the Blue River corridor. CPW advises that the Blue River Flats HOA develop a Prohibited Plant List that includes all plants on (Appendix B). Several species on this list have been identified locally and are known to be present in Summit County (Appendix C)."

RESPONSE: The site plan is currently showing a wetlands buffer that is setback off of the river, and do not have any permanent disturbances in this area. The paved path and community green are essential elements on the development, and have also been requested by other agencies to remain in place. Blue River Flats HOA agrees with the pet and trash policies and will work with the Town to put those mandates in place. Type of trees and plantings are available on the landscape sheets of the submittal package, and ensure that no noxious species will be planted on site.



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July 12, 2016

Lina M. Lesmes
Senior Planner
Town of Silverthorne
970-262-7366

RE: Utility Undergrounding for Blue River Flats

Dear Lina,

This letter is a detailed response to the Town's condition of approval number 16.4. Our team has now had the chance to thoroughly review the function of the power line that crosses the river, the logistics of undergrounding it under the river and alternatives to undergrounding and are unable to find a resolution that removes the overhead lines while fitting within the projects budget. We regret not being able to meet this condition but still hope to gain approval (staff and/or council) to see Blue River Flats closing units in 2017. Please advise us on how we shall proceed as timing is critical for project feasibility. All details of our exploration are listed below and/or attached to this letter. We are excited to move forward with the Blue River Flats and believe it would be a quality addition to the town of Silverthorne and a great northern anchor for the Town's River Front district.

Condition 16.4) All new, relocated and existing utility lines, including transmission lines, within the property limits need to be undergrounded. Since the eastern property line is within the river, the undergrounding and power pole relocation should terminate on the east bank of the river, on Town-owned Lot 39.

Background:

- The overhead electrical line is not needed to provide electrical service to Blue River 50. Instead, it connects a general distribution loop for the Town and is a service to numerous properties, not just the Blue River Flats – see attached *Blue River Loop Exhibit*.
- While we understand the request to underground the electric lines is stated as a condition, the Town code isn't absolute in its wording, stating in section 3-5-1 that it is "desirous" to underground utility lines where possible.

Proposed Design Solution: Underground all lines on site (outside the river) and overhead the river.

- The proposed solution is to install a new power pole near the east edge of the Blue River Flats site. That pole and guy wires location is coordinated to not interfere with the proposed improvements and the pedestrian path. Electrical lines west of that pole will be underground while electrical lines to the east and over the river will be above ground. Underground electrical lines will also be installed along the entire western property allowing easy future connection. This is expected to cost roughly \$70,000.00. Reasons this is the proposed solution include:
 - The additional costs associated with the other options.
 - The additional time required to design and process the other options. Per PSC and Xcel, this is estimated at 4-6 months, plus till the end of the Blue River moratorium ending in May, 2017. Amongst others, it includes the significant steps of a new survey to be conducted by the Army Corps of Engineers and another FEMA permit.

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Option 1: Extending the loop north to the Tammy Jamison Bridge – (Likely the best option)

- The best option for removing the electrical lines over the river would be to cross the electric service at the Tammy Jamieson bridge at 13th St. There is already a feeder line running on the east edge of Highway 9 to near the southern edge of the Town's property and the feeder line could be mounted to the underside of the Tammy Jamieson bridge. About 750' of new feeder line would need to be installed, mostly along the east side of the river. It is likely parts of the existing bike path on the east side of the river would have to be torn up and replaced but it is expected to be a small amount (+/- 25%) due to the wider tract of land owned by the Town in this area.
- Xcel also suggested the overall benefit could also expand because the Town could expand the project to underground the power lines on the east side of the river further to the south to include the 4 houses where the feeder goes right over their roofs and decks to where it turns east to meet up with Mesa Dr. however, this would require some additional easements from the existing homeowners.
- Costs for this option are estimated to be between \$200,000.00 and \$250,000.00

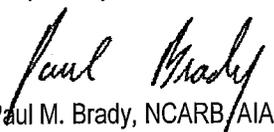
Option 2: Constructing a new bridge at the current location

- Per an Engineer's Opinion of Probable Cost prepared for a similar bridge in 2014, this option is expected to cost +/- \$500,000.00.
- Based on our visit with the Tennis Court neighbors, any disturbance on their side of the river is not desired. Without a benefit of an extended project that undergrounds more wires, it was clear from them that they were not interested in any bridges / disturbance / etc. from this project.
- This cost is not feasible for the Blue River Flats project but is seemingly a better alternative than option 3 because for a similar cost, you get the added benefit of a usable pedestrian bridge.

Option 3: Undergrounding at the current location

- This option as initially requested by the Town is the costliest and most challenging logistically, thus it is listed as the last option.
- It is logistically challenging for the following reasons:
 - On the east side of the river, there is < 20 feet from the river edge to the pole / bike path. On the other side of the bike path is houses. This will be very difficult and very expensive to bore at this location – per Xcel.
 - The bore would normally need to be at least 5' beneath an irrigation ditch, probably deeper for a river (Corps question). It will take a larger than normal bore machine. It still may not be possible to achieve the depth required without the machine placed farther back from the river and you face the same situation bringing it back up on the other side. A channel bore (straight bore between two deep bore pits may work as long as dewatering (permit required and slow to get) can keep up.
- Based on our visit with the Tennis Court neighbors, any disturbance on their side of the river is not desired. Without a benefit of an extended project that undergrounds more wires, it was clear from them that they were not interested in any bridges / disturbance / etc. from this project.
- Attached is a cost estimate that projects this option to cost +/- \$500,000.00 - \$700,000.00

Respectfully,


Paul M. Brady, NCARB/AIA
Principal

MEMORANDUM

Date: 07/19/16
To: Lina Lesmes
From: Ken Marsh

Re: Bridge construction, power pole and utility line relocation

In exchange for the support and advocacy of the Town (Planning, Public Works and Engineering departments) BR 50 is willing to dedicate a tract of land to be known as the River Tract and grant an easement that will be used to accommodate a future pedestrian bridge, the removal of the power pole and facilitate the utility line relocation across the Blue River.

Two things are accomplished with this deed and dedication. First, the community walking paths and trail system allows for access across the River specifically facilitating easy, safe access from the west side of the River to the east and visa versa and Secondly, the power pole and overhead power lines are eliminated.

For this support BR 50 is also proposing a financing agreement or sinking fund type arrangement that includes a deed restriction allowing for a 1% transfer fee with the exception of the first sale of each unit (46). So using this 1% transfer fee, the Town 1% Xcel credit, the Town general fund and the Town capital improvement fund the Town can install the bridge and relocate the power pole and utility lines at their discretion.

Reasons to support the First Sale 1x Exemption

1. 2016 residential real estate prices increased 14 % over 2015 in Silverthorne. The velocity of sales combined with huge price increases lead to a huge increase in RETA fees for the Town. As well, BR 50 is proposing that the RETA fees be set in perpetuity which will generate fees not only for burying the existing power line and building the bridge but will provide for an on going revenue stream for the Town, long after these improvements are paid for.
2. The smaller size of the units allow Silverthorne to provide an entry level housing product for young families and local residents that find it presently difficult to find housing in Summit County. Buyers of these smaller units typically outgrow these small units for a number of obvious reasons including growing families and career advancement, leading to property sales and rapid turns of units.
3. Flipping units often happens in low inventory, strong markets and increased sales often happen in a soft economy and bad markets especially in resort communities. History has shown there can be very quick multiple re-sales of the same properties providing repeat RETA fees to the Town of Silverthorne in as little as 1 or 2 years after the initial sale.
4. In order to provide and an affordable product, every \$ counts toward the cost of developing these units and this is a primary reason to consider allowing a 1x 1st sale RETA exemption. The RETA fee is a hardship when trying to provide affordable housing for young professionals and the locals of Summit County.
5. The origin of the discussion was to provide for the burial of the power lines not to construct a bridge. BR 50 is now on board with the concept of building a bridge and providing a way to pay for it through the RETA tax with the 1x 1st sale exemption.
6. The bridge will primarily and ultimately serve not only the Blue River 50 Community but all of the residents and visitors that use the trail system in Summit County, so the cost of constructing the bridge should not only be borne by the BR 50 community.
7. The bridge can be built with funds generated over a longer, but reasonable time period with the burden of the funding spread among more sellers in BR 50 and possibly from other funding sources available to the Town.
8. Additional fees increase overall costs that jeopardize the viability of the project and runs counter to the affordability objective given the fact that BR 50 is providing a higher quality product and is striving to stay affordable.
9. Keeping BR 50 a financially viable community will immediately contribute to the beautification of the Blue River Parkway and this riverfront area of Silverthorne.

TO: Lina Lesmes – Senior Planner, Community Development Department
FROM: Dan Gietzen - Town Engineer, Public Works Department
DATE: September 28, 2016
RE: Blue River 50 Final Site Plan review comments

1) Development within the floodplain and FEMA permitting.

Most of the project site is located within the FEMA mapped 100-year floodplain.

Development within the floodplain is permissible as long as FEMA, State and local standards can be met. The two main criteria include 1) elevating the lowest floor elevations to be at least one (1) foot above the FEMA mapped and published Base Flood Elevations (BFEs), and 2) performing scientific analysis and modeling to evaluate the effects that proposed fill would have on water surface elevations. Per State and local standards, development is allowed as long as it can be demonstrated, via scientific modeling, that changes to BFEs are equal to or less than 0.5 feet.

The Applicant provided a floodplain analysis performed by Wright Water Engineers (WWE), dated February 15, 2016. The study concluded, that the post-project maximum change to the floodway water surface elevations would be 0.29 feet higher, which is less than the 0.5 foot threshold – and thus allowed by FEMA, State and local regulations.

FEMA has since reviewed and approved the study and has issued the CLOMR-F permit, which stands for “Conditional Letter of Map Revision based on Fill.” This permit is FEMA’s official approval of the proposal to fill the site for development per the current site plan. Silverthorne Staff required the CLOMR-F as a condition of approval at Preliminary – and this has been satisfied.

Prior to the issuance of any Building Permits, the site will need to be filled to match the footprint and vertical elevations specified in the FEMA approved CLOMR-F. The Applicant will then need to submit the “as-built” site conditions to FEMA as part of the LOMR-F application process. FEMA will need to review and approve the application which documents and verifies as-built conditions, and will need to issue the LOMR-F permit, which officially removes from the FEMA regulatory floodplain, before any Building Permits can be issued.

With respect to building elevations, all are shown to meet or exceed the one (1) foot minimum elevation above the BFE. This will also be confirmed by survey and Elevation Certificates during construction.

2) Proposed encroachments into Xcel easements.

The site is encumbered with several different easements. Of particular interest are two (2) Xcel utility easements which proposed buildings are shown to encroach into. At Preliminary review, Silverthorne staff required that the Applicant obtain permission from the easement Owner, Xcel for these encroachments in order for to move forward to Final. The Applicant has since provided an email from Xcel stating that Xcel has no objections to the proposed encroachments.

3) Access / CDOT Access Permit

The Applicant has received from CDOT and has provided to the Town two (2) Access Permits for the project – one for each the northern and southern access points. CDOT has accepted the current access points and configurations and is not requiring any additional highway improvements such as accel/decel lanes, turning movement restrictions or anything else.

4) Grading and Drainage

Staff has reviewed the Grading and Drainage Plan, and finds that it meets the Town's requirements.

5) Sidewalk and Landscape Wall proposed within CDOT right-of-way

CDOT permission and the appropriate permitting for these improvements will be required. The Applicant has submitted a Special Use Permit Application to CDOT, which is currently being reviewed by CDOT. CDOT must issue a permit for these improvements for them to be constructed.

The sidewalk will be privately maintained until such time that it connects to a larger, contiguous Town path system.

It is recommended that the sidewalk be at least a few feet away from the buildings for snow maintenance / plowing activities.



TO: Lina Lesmes, Senior Planner
FROM: Zach Margolis, Utility Manager
DATE: September 29, 2016
SUBJECT: Utility Department Comments on Blue River Flats Final Site Plan

General: The Town of Silverthorne has sufficient water and sewer capacities in the adjacent right of way to serve the proposed project. We have no recommended conditions of approval.

We would like a final set of construction drawings at least ten days prior to start of construction. We ask that the following notes and details be included on the construction drawing set:

- Town of Silverthorne Details, S-1, S-2, S-3, S-4, S-6, S-7, W-1, W-2, W-3, W-4, W-5, W-7, W-8, W-9, and W-13.
- Water Note 1 - Add "DR 18 (245 psi) C900 PVC" to.
- Add the following Water Note - All water services shall be Pure Core DR 9 HDPE.
- Add the following Water Note - All restraint steel and hardware is to be 304 stainless steel.
- Add the following Sewer Note - All sewer services and cleanouts shall be SDR 26 PVC.
- Typical Insulation Detail - change the bottom left hand note to read, "3/4" Crushed Rock".

**TOWN OF SILVERTHORNE, COLORADO
SUBDIVISION IMPROVEMENTS AGREEMENT
FOR
BLUE RIVER FLATS**

THIS AGREEMENT is made and entered into as of the 12th day of October, 2016 (the "Effective Date"), by and between Blue River 50, LLC, a limited liability company with an address of 9233 Park Meadows Drive, Suite 219, Lone Tree, CO 80124 ("Owner") and the Town of Silverthorne, a municipal corporation of the State of Colorado with an address of P.O. Box 1309, the Town, Colorado 80498 (the "Town") (each a "Party and collectively the "Parties").

WHEREAS, Owner holds title to certain real property located within the Town and described on **Exhibit A** attached hereto (the "Property") and Owner has submitted an application for development of said property known as Blue River Flats (the "Project");

WHEREAS, as a condition of approval of the Project and development of the Property, certain improvements, which are more particularly described on **Exhibits B and C** attached hereto (the "Improvements") must be constructed by Owner; and

WHEREAS, Owner shall also satisfy any other applicable condition or conditions of approval of the Project; and

WHEREAS, the Town and Owner desire to evidence their agreement regarding the construction of these Improvements.

NOW, THEREFORE, the Parties agree as follows:

1. **Purpose and Scope.** This Agreement pertains to Improvements to be constructed on and adjacent to the Property in connection with and as a condition of approval of the Project and development of the Property.
2. **Exhibits and Inclusions.** This Agreement includes the following Exhibits which are attached hereto and incorporated herein by this reference:
 - a. **Exhibit A:** Legal Description of the Property
 - b. **Exhibit B:** Quantities of Improvements and Cost Estimates
 - c. **Exhibit C:** Wet Stamped Engineering plans and specifications prepared by _____ dated _____, 2016, submitted to and approved by the Town, and included as a part of this Agreement together with any modifications thereto agreed to by the Parties), referred to hereinafter as the "Engineering Plans."
 - d. **Exhibit D:** Form of Partial Release of Letter of Credit
3. **Improvements to be Constructed.** Owner shall install the Improvements described in **Exhibits B and C** and shall be responsible for all associated costs thereof. Before beginning any site work or the construction of any Improvements, Owner shall submit to the Town final construction plans and specifications for the Improvements which have been stamped and

signed by the engineer(s) who prepared the Engineering Plans. The Owner agrees that the Improvements shall be constructed in accordance with the approved Engineering Plans. Owner shall comply with all Federal, State and local rules and regulations during construction. Owner shall not modify the approved Engineering Plans or construction methods, means, materials or locations for any of the Improvements without the prior written approval of the Town.

4. **Rights-of-Way and Easements.** Owner shall provide and dedicate all necessary rights-of-way and easements related to the site development and the construction of the Improvements at the time of final plat for the Project. Owner shall also be responsible for acquiring all other applicable easements, permits and licenses necessary for the construction of the Improvements.
5. **Plans and Drawings.** Owner will furnish the Town, at Owner's cost, 5 copies of the Engineering Plans and all supplemental plans, drawings and specifications relating to the Improvements and overall Project development which shall be prepared, stamped and certified by a licensed, registered Professional Engineer (P.E.), hereafter referred to as the "Design Engineer" or "Engineer of Record." Owner shall furnish the Town 3 paper copies showing the constructed Improvements in their as-built locations prior to the Town's acceptance of the Improvements. Owner shall pay the cost of adding "as-built" drawings to the Town's GIS system.
6. **Cost Estimate for Improvements.** To secure the construction and installation of the Improvements such that the Town will have sufficient funds to complete the construction should Owner default, Owner has estimated the costs of Improvements to be installed as itemized in **Exhibit B**. The Town has, in good faith, reviewed and approved the cost estimates. The Parties acknowledge that the costs and quantities set forth on **Exhibits B and C** are estimates and that the actual costs and quantities may vary from such estimates.
7. **Additional Costs.** Owner shall be responsible for all costs for the Project, in addition to the basic costs of construction estimated in **Exhibits B and C**, including, but not limited to preliminary and final design, plan, as-built drawing preparation, construction costs, surveying costs and required studies related to the Project including but not limited to traffic, utilities, and geotechnical studies as well as, inspection and certification, performance and guarantee during construction and the following warranty period, and any other administrative or legal expenses.
8. **Security.**
 - a. Owner shall secure all of its obligations under this Agreement by furnishing to the Town either cash or a letter of credit in the amount of \$109,906.05 in a form acceptable to the Town issued by a Colorado bank or another lender (the "Issuer") acceptable to the Town.
 - b. If Owner fails to perform or observe any obligation or condition required by this Agreement, and if such default or defaults remains uncured for more than 30 days after Owner's receipt of written notice thereof from the Town, the Town may either cure the default at Owner's expense and draw on the Letter of Credit from time to time to pay the costs it incurs in connection therewith, or issue written notice advising Owner that specific Improvements constructed have been deemed unacceptable until Owner complies with all obligations and conditions of this Agreement.

c. The procedures for drawing on the Letter of Credit shall apply whether there may be one or more defaults, or a succession of defaults on the part of Owner in performing the terms, requirements and conditions contained in this Agreement.

d. If requested by Owner, the Town may consider allowing partial releases of the Letter of Credit as construction of the Improvements progresses. Partial releases shall be considered only for the completion of Improvement items and quantities identified in **Exhibits B and C**. Partial release requests shall be made in writing and shall be accompanied by appropriate records documenting the completed Improvement items, their quantities, lengths and/or limits and associated cost amounts. This documentation may include, but is not limited to copies of bills and paid invoices, the schedule of values for the work performed and schedule of values summarizing the work remaining, as well as any other supporting documentation requested by the Town. The Town may elect to inspect the Improvements to verify their completion and shall determine the amount of the partial release within 14 days following its receipt of the request. If the Town agrees that the amount of the partial release request appears to be in proper proportion for the amounts of the completed (and remaining) Improvements and that the Improvements have been constructed in accordance with the approved Engineering Plans and any other applicable requirements of this Agreement, then the Town may release a portion of the Letter of Credit. The amount of the partial release shall be the amount or quantity of the Improvement completed as identified in **Exhibit B**. Partial release requests shall be made no more frequently than once per calendar month.

e. No determination by the Town of construction performed, nor any partial release of any portion of the Letter of Credit, shall be deemed as acceptance of Improvements by the Town.

9. **Completion.** All Improvements shall be completed in accordance with the approved Engineering Plans, within 2 years after approval of the Project by the Town. Extension of time for completion of Improvements may be considered by the Town for good cause shown. "Good cause" shall be determined by the Town. All Improvements must be completed, inspected, approved and accepted by the Town prior to the issuance of Certificates of Occupancy for any building within the project.
10. **Materials and Workmanship.** Unless otherwise approved by the Town in writing, all materials to be used for constructing the Improvements shall be new and both workmanship and materials shall be of good quality. Prior to procurement (unless waived by the Town), Owner shall furnish the Town the name of the manufacturer of equipment and materials which it contemplates using for the construction of the Improvements. Owner shall also furnish information on capacities, efficiencies, and sizes and any additional information requested by the Town. Samples shall be submitted for approval when requested. Equipment, materials and articles installed or used for the Improvements without the Town's approval shall be at the risk of subsequent rejection.
11. **Work Specifications.** All work done under this Agreement shall be completed to the lines, grades, and elevations and shall be constructed with the materials and means shown on the approved Engineering Plans. Owner shall keep the Town informed, at least five (5) calendar days in advance, of the times and places at which it wishes to undertake construction. Any work done without being properly located and established by base lines, offset stakes, benchmarks, or other staking in accordance with the approved Engineering Plans may be ordered removed and replaced at Owner's cost and expense. The Town and/or the Inspector shall issue written notice to Owner regarding any construction or activity which the Town

deems unacceptable. All stakes, bench marks, and other survey points shall be preserved by Owner until the Improvements have been accepted by the Town.

12. Protection.

a. Owner shall keep and maintain all of the Improvements in good order and condition until the Town formally accepts the Improvements. Owner shall at its cost repair or replace any damage to or destruction of the Improvements that occurs prior to such acceptance by the Town, except to the extent that such damage or destruction is caused by agents or employees of the Town.

b. Owner shall take all steps necessary to prevent its construction activities from damaging adjacent properties. If any adjacent property is damaged during site work or during the construction of the Improvements, Owner shall at its cost promptly repair or replace the damaged property to a condition equal to or better than that which existed before such damage or injury.

c. Owner shall take all steps necessary to prevent its construction activities from causing bodily injury to person, including without limitation, traffic control and the installation of safety signage, barricades, fencing, lighting and other safety measures.

d. In addition to complying with erosion control measures described in the Engineering Plans, Owner shall take all necessary steps to prevent its construction activities from harming water quality, water bodies and wetlands. Owner shall be responsible for obtaining all applicable local, State and/or Federally required construction stormwater permits prior to commencement of site work.

13. Construction Inspection. Inspection shall be provided to assure that all work is performed in accordance with the approved Engineering Plans and with the terms of this Agreement. Owner is responsible for the cost of inspection services related to construction of the Improvements. Full time inspection shall be provided by Owner's Engineer, unless an alternative method or schedule is approved by the Town in writing. The Inspector and inspection schedule shall be subject to the approval of the Town. The Inspector(s) as described above (hereinafter referred to as "Inspector") will inspect the construction materials and will observe construction of the Improvements to be dedicated to the Town to assure that they have been constructed in compliance with the approved Engineering Plans, and with the Town's standards and regulations. The Inspector shall document their observation of construction on a daily basis and on a form acceptable to the Town, which may also include photo and video documentation. In the event that there are questions or concerns at any time about the quality of construction and/or materials or methods used during construction, the Town may issue written notice advising Owner that specific Improvements in question have been deemed unacceptable.

a. The Inspector shall notify Owner within twenty-four (24) hours of all construction or material defects or problems with the construction, either noted by the Inspector or presented to the Inspector by Owner's Engineer, or by the Town. Such claims may include any matter relating to the materials being used, execution and progress of the work or interpretation of this Agreement, including the approved Engineering Plans. Any subsequent recommendations or proposed revisions from Owner's Engineer shall be subject to the final review and decision of the Town's Public Works Director or his or her designee.

- b. The Inspector shall make daily estimations of amounts and quantities of work performed hereunder.
 - c. The Inspector and the Town shall have free access to the work at all times. Owner shall furnish both Inspector and the Town with the means for ascertaining whether the work being performed or the work which has been completed is in accordance with the approved Engineering Plans and the Town's Engineering Standards.
 - d. The Inspector is in no way be responsible for how the work is performed, safety in, on, or about the job site, methods of performance, or timeliness in the performance of the work.
 - e. the Town hereby designates the Public Works Director or his or her designee(s) as representatives with authority to speak for the Town, and with whom the Inspector shall communicate on all matters provided for in this Agreement.
 - f. Inspections may extend to all or any part of the Improvements and to the preparation or manufacture of the materials to be used. The Inspector is not authorized to alter the provisions of this Agreement or any specifications or to act as foreman for the Town or Owner. Owner agrees to pay for the Inspector and all related inspection services.
 - g. Owner agrees to pay to the Town for the examination of submitted plans and the Town's inspection of the work.
- 14. Quality of Work.** If at any time it is determined by the Town or the Inspector that substandard material, not conforming to the requirements of the approved Engineering Plans and specifications has been delivered to the Project or has been incorporated in the work, or if work shall have been performed of inferior quality, then such material or work shall be considered as defective and shall be removed and replaced at Owner's expense.
- a. Any failure to earlier detect defective design, material, or workmanship shall not impair the Town's right to a completed and functional project constructed per the approved Engineering Plans as well as applicable engineering standards and regulations.
 - b. If Inspector or the Town discovers defective materials, whether before, during or after installation and if Owner fails to replace rejected materials, the Town may issue written notice advising Owner that these materials and the related Improvements will be deemed unacceptable.
 - c. If the approved Engineering Plans, the specifications, Owner's Engineer's instructions or requirements of any public authority, including the Town, require any work to be specially tested or approved, Owner shall be responsible for performing such testing, obtaining passing test results and providing reports of those results to the Inspector and the Town as quickly as possible, and prior to commencing further work. If any work is covered without approval of the Inspector, the Inspector and/or the Town may order the work to be uncovered for examination and inspection. If Owner fails to comply with these requirements, then the Town may issue written notice advising Owner that specific Improvements in question will be deemed unacceptable.
 - d. Reexamination of work or materials may be ordered by the Inspector or the Town. If so ordered, the work or materials must be uncovered by Owner. If such work or materials are found to be in accordance with this Agreement and the approved Engineering Plans, then the party requiring the reexamination shall pay the costs of uncovering,

reexamination, replacement, and restoration of the site. If such work or materials be found not in accordance with this Agreement and the approved Engineering Plans, Owner shall pay such cost.

- e. In the event that adverse site or climatic conditions exist which may damage or endanger work, the Town may issue written notice advising Owner that Improvements constructed during these conditions will be deemed unacceptable.

15. **Final Inspection.** When the work specified in this Agreement is completed and the final clean-up has been performed, Owner shall notify the Town and shall provide a letter, in a form acceptable to the Town, from Owner's Engineer certifying that all Improvements have been constructed in accordance with the approved Engineering Plans. the Town will then, within 14 days after such notice, make its final inspection. If such inspection determines that the construction of the Improvements appears to have been completed in accordance with the Engineering Plans and the other requirements of this Agreement, and that all Improvements appear to be operating correctly, the Town will accept the Improvements by issuing a Certificate of Completion within 14 days of the date of the Final Inspection. If the inspection reveals that the work has not been completed in accordance with the approved Engineering Plans and the other requirements of this Agreement, or is not functioning or may not function correctly, Owner shall be notified in writing and shall promptly correct the deficiency at its cost and, following the completion of such corrective work, reissue its notice of completion to the Town. The re-inspection process and timeframes will be subject to the above schedule.

16. **Acceptance of Improvements.** the Town shall not accept responsibility for ownership, operation and maintenance of the Improvements until all Improvements have been completed by Owner, have passed final inspection by the Town and have subsequently received final acceptance thereof by the Town. Upon written request by Owner for a Certificate of Completion, and provided that all of the payments and other performances within this Agreement have been made and completed by Owner, the Town will issue the Certificate of Completion. Upon issuance of the Certificate of Completion, the Improvements described in **Exhibit B** shall be deemed approved and accepted by the Town and shall be owned, operated and maintained by the Town, unless specific conditions are stated otherwise within the Certificate of Completion.

17. **Warranty and Guarantee.** Owner hereby warrants and guarantees to the Town that the Improvements will be fully functional and free of all defects in design, materials, construction and function for a period of 2 years from the date of their final acceptance by the Town, measured by the date of issuance of the Certificate of Completion. Security shall be deposited to warrant the Improvements against defects during the two-year warranty period. Such warranty security shall be posted in the amount of twenty percent (20%) of the total construction cost of the Improvements for the two-year warranty period and shall be provided either as cash or via letter of credit in a form acceptable to the Town and which is issued by a Colorado bank or another lender (the "Issuer") acceptable to the Town.

- a. Owner warrants that upon acceptance of the Improvements by the Town, title to all work performed and materials and equipment furnished in respect thereof will pass to the Town free and clear of all liens, encumbrances, security interests, bailments, conditional sales contracts, claims and other agreements by which an interest or encumbrance is retained by any person or entity.
- b. Owner warrants that all work performed and materials and equipment furnished in respect of the Improvements are new, of good quality, free from all faults and defects, and in

compliance with the approved Engineering Plans. Any work, materials or equipment not complying with these requirements, including any unapproved substitutions, may be considered defective and shall be removed and replaced at Owner's cost.

- c. If, within the applicable warranty and guarantee period set forth above, any of the work, materials or equipment is found to be or becomes defective or deficient Owner shall, without cost to the Town, correct it promptly after receipt of notice from the Town.
 - d. The warranty and guarantee periods set forth above shall be extended for any remedial or repair work that may be necessary within the first two (2) years after the issuance of the Certificate of Completion for the Project by the Town. Additionally, the warranty and guarantee period for remedial or repair work shall for be two (2) years after the date of performance of the remedial or repair work. Security, for the remedial or repair work shall also be retained by the Town throughout this extended period.
 - e. In any situation where defective or deficient work, materials or equipment affects the safety of persons or property and Owner has failed to respond in a timely manner, then the Town may act immediately to respond, including ordering the suspension of work on the Project. If Owner fails to promptly correct any defect or deficiency where notice has been given to Owner, the Town may undertake the necessary remedial effort. In either event Owner shall immediately reimburse the Town for all costs. Nothing contained herein shall impose any duty upon the Town to act for Owner in an emergency.
 - f. All warranty and guarantee obligations shall survive termination of this Agreement and acceptance of the Improvements by the Town. The establishment of all warranty and guarantee periods shall not be construed to create a period of limitation for commencement of any legal proceedings brought for a breach of the warranty.
18. **Notice.** When any faulty condition in the Improvements is found, the Town shall serve notice to Owner and/or its surety or Issuer of this condition. Upon receipt of said notice Owner or its surety shall proceed immediately and with due diligence to perform all repairs and/or replacements in a satisfactory manner at no cost to the Town. Security in the amount of the actual cost of repair and/or replacement shall be retained for this extended two (2) year period. In the event Owner fails to make such repairs or replacements, the Town shall have the right to do so in the manner described herein. If, in repairing its own work, Owner damages the work or property of others, the repair and payment for such shall be Owner's responsibility.
19. **Remedies.** In addition to any other remedy allowed by law, in the event of default by Owner with respect to any provision of this Agreement, including insufficiency of security to complete the Improvements, the Town may refuse to further process any site development or building permit application for any property within the Town of the Town, owned, in whole or in part, by Owner.
20. **Indemnification.**
- a. Owner hereby expressly binds itself to indemnify and save harmless the Town and its officers and employees, against all suits or actions of every kind and nature brought, or which may be brought against them or any of them; any loss, cost or expense incurred by them or any of them for, or on account of, any injury or damage received or sustained by any person, firm or corporation during the construction of the Improvements or the applicable warranty period, arising in whole or in part from the acts or omissions of Owner, its contractors and agents

- b. The indemnity contained herein benefits the Town and its agents only, and confers no benefit or right upon any third party.
- c. The Town does not waive its right to assert, to the fullest extent permitted by law, its immunity from suit under any statute or common law doctrine, including the Colorado Governmental Immunity Act, § 24-10-101, et seq., C.R.S., as well as the limitation upon liability provided therein.

21. **Additional Conditions.**

- a. **Applicable Law.** This Agreement, and the terms, conditions and covenants herein contained, shall be deemed to complement and shall be in addition to the conditions and requirements of the Silverthorne Town Code requirements and other applicable laws, rules and regulations. This Agreement shall be construed pursuant to the laws of the State of Colorado. Jurisdiction and venue for any cause of action arising under this Agreement shall be proper and exclusive in Summit County.
- b. **Severability.** It is understood and agreed by the Parties that if any part, term, or provision of this Agreement is held by any court of competent jurisdiction to be illegal or in conflict with any law of the State of Colorado, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid.
- c. **Complete Agreement.** This instrument embodies the whole agreement of the Parties. There are no promises, terms, conditions, or obligations other than those contained herein and this Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, between the Parties. There shall be no modification of this Agreement except in writing, executed with the same formalities as this instrument.
- d. **Recording; Benefit.** This Agreement shall be recorded with the Clerk and Recorder for Summit County, Colorado; shall run with the land, and shall be binding upon and shall inure to the benefit of the Parties and upon and to their respective successors, grantees and assigns. Owner shall be released from further obligation hereunder in the event of sale or transfer of the Property or portions thereof (to the extent of such portions only); provided however, that any successor, grantee or assignee of Owner shall be bound hereby with respect to the Property or such portions thereof so sold or transferred, and this document shall have been recorded and serve as a covenant running with and burdening the land described in **Exhibit A**, as the burdened property, as an easement in gross for the benefit of the Town of the Town. Any reference herein to Owner shall be deemed to include any purchaser, successor-in-interest or assign of Owner as to all or any part of the Property. Owner shall notify the Town in writing within fifteen (15) days of any sale, transfer, or assignment, giving name and address of transferee, assignee or buyer. Except as set forth in this Additional Conditions paragraph, this Agreement does not confer any right or benefit to any third party.
- e. **Force Majeure.** If Owner's performance of the Improvements is unreasonably delayed, disrupted or interfered with by the presence of any reasonably perceived hazardous material, labor dispute, fire, unusual delay in delivery, adverse weather conditions not reasonably anticipated, any written or oral order, directive, interpretation or determination made by the Town, unavoidable casualties or any other causes reasonably beyond Owner's control, then Owner's time shall be extended for such duration as provided

elsewhere in this section upon Owner's timely submission of its request for an extension of time.

- f. **No Waiver.** No waiver of any of the provisions of this Agreement shall be deemed or constitute a waiver of any other provisions herein, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided, nor shall the waiver of any default hereunder be deemed a waiver of any subsequent default hereunder.
- g. **Lot Sales.** Owner may not enter into any contract for the sale of any of the condominiums that are created by a Condominium Plat for the Property or take any condominium ownership-specific reservation until Owner has provided the Town with the financial security required by this Agreement. This Section shall not be construed to restrict Owner's right to sell the entirety of the Property to another developer as a bulk sale.
- h. **Real Estate Transfer Assessment.** Owner agrees that the sale or other transfer of each condominium unit shall be subject to a Real Estate Transfer Assessment of 1% of the purchase price, which shall be set forth in a Real Estate Transfer Covenant. The Real Estate Transfer Covenant shall be executed and recorded with the Summit County, Colorado, Clerk and Recorder prior to the recording of the Condominium Plat for the Property. Owner shall not be obligated to pay such assessment on the first sale of each condominium, but the assessment shall apply to each and every sale thereafter.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

TOWN OF SILVERTHORNE, a Colorado municipal corporation

ATTEST:

Bruce Butler, Mayor

Michele Miller, Town Clerk

BLUE RIVER 50, LLC

STATE OF COLORADO)
) ss.
COUNTY OF SUMMIT)

Acknowledged before me this ____ day of _____, 2016, by _____,
of Blue River 50, LLC.

WITNESS my hand and official seal.

MY COMMISSION EXPIRES: _____

Notary Public

[SEAL]

Exhibit A

SITE IMPROVEMENTS AGREEMENT

Legal Description of the Project

LOT 23R, SILVERTHORN SUBDIVISION, AS SHOWN ON THE PLAT RECORDED MARCH 26, 2004 UNDER RECEPTION NO. 750881, COUNTY OF SUMMIT, STATE OF COLORADO.

TOGETHER WITH, LOT 25, SILVERTHORNE SUBDIVISION, ACCORDING TO THE PLAT FILED IN THE OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER AT RECEPTION No. 78380, COUNTY OF SUMMIT, STATE OF COLORADO.

TOGETHER WITH THAT PARCEL OF LAND AS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER FOR SUMMIT COUNTY AT RECEPTION No. 633874, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 25 OF THE SILVERTHORN SUBDIVISION, WHICH POINT IS, IN FACT, THE TRUE POINT OF BEGINNING, THENCE NORTHWESTERLY 157.48 FEET ALONG THE ARC OF A 1860.00 FOOT RADIUS CURVE TO THE RIGHT, ALONG COLORADO STATE HIGHWAY #9 EASTERLY RIGHT OF WAY, WHOSE LONG CHORD BEARS NORTH 13 DEGREES 43 MINUTES 05 SECONDS WEST 157.44 FEET, THENCE NORTH 11 DEGREES 17 MINUTES 00 SECONDS WEST 131.00 FEET ALONG SAID RIGHT OF WAY TO THE BANK OF THE BLUE RIVER, THENCE SOUTH 51 DEGREES 13 MINUTES 47 SECONDS EAST 333.52 FEET ALONG THE WESTERLY BANK OF SAID BLUE RIVER, THENCE SOUTH 69 DEGREES 47 MINUTES 00 SECONDS WEST 210 FEET ALONG THE NORTH LINE OF LOT 25 OF THE SILVERTHORN SUBDIVISION TO THE TRUE POINT OF BEGINNING. DESCRIBED PARCELS CONTAINING 114069 SQ. FT. OR 2.6187 ACRES, MORE OR LESS.

Exhibit B

SITE IMPROVEMENTS AGREEMENT

Improvements Quantities and Cost Estimates

Item No	Item Description	Quantity	Unit	Unit Cost	Total Cost
1	Sidewalk (HWY 9)	2776	SF	\$ 5.00	\$ 13,880.00
2	Curb & Gutter	136	LF	\$ 15.00	\$ 2,040.00
3	8" C900 PVC water line	779	LF	\$ 17.00	\$ 13,244.70
4	Fire Hydrant Assembly	3	EA	\$ 4,000.00	\$ 12,000.00
5	6" SDR 26 Sanitary Line	443	LF	\$20.00	\$8,856.00
6	4' Dia. Manholes	3	EA	\$3,000.00	\$9,000.00
7	24" CMP	48	LF	\$45.00	\$2,160.00
8	24" End Section	2	EA	\$450.00	\$900.00
9	2'x5' RCBC	54	LF	\$185.00	\$9,990.00
10	Wingwall	4	CY	\$300.00	\$1,200.00
				Subtotal	\$73,270.70

Exhibit C

SITE IMPROVEMENTS AGREEMENT

Engineering Plans

The Engineering Plans are incorporated herein by this reference, but not attached and not required to be recorded with this Agreement, but must be placed on file with the Town of Silverthorne.

Exhibit D

SITE IMPROVEMENTS AGREEMENT

Form of Partial Release of Letter of Credit

Certificate for the Reduction of
Amounts Available Under
Irrevocable Letter of Credit No. _____
Dated _____ (the "Letter of Credit")

The undersigned, a duly authorized agent of the Town of Silverthorne, Colorado ("Beneficiary"), hereby certifies to _____ (the "Issuer") with reference to Irrevocable Letter of Credit No. _____ dated _____, ("Letter of Credit") issued by the Issuer in favor of the Beneficiary, that:

- a) Beneficiary hereby notifies you that, pursuant to that certain Subdivision Improvements Agreement for the _____ Project dated _____, _____, ("Site Improvements Agreement") by and between the Beneficiary and _____, the Beneficiary has agreed that the amount available under the Letter of Credit shall be reduced by the amount of \$ _____, as of the date of this Certificate.

- b) Following the reduction referred to in Paragraph (1) above, together with all prior reductions, the amount available under the Letter of Credit to the Beneficiary is \$ _____.

IN WITNESS WHEREOF, the undersigned has executed and delivered this Certificate this _____ day of _____.

TOWN OF SILVERTHORNE, a Colorado
municipal corporation

By: _____
Its: _____

TOWN OF SILVERTHORNE, COLORADO

RESOLUTION NO. 2016-29

A RESOLUTION OF THE SILVERTHORNE TOWN COUNCIL APPROVING A MINOR SUBDIVISION PLAT, A FINAL SITE PLAN AND A SUBDIVISION IMPROVEMENTS AGREEMENT FOR BLUE RIVER FLATS

WHEREAS, on June 22, 2016, the Town Council approved a Preliminary Site Plan for a 46-unit condominium project entitled "Blue River Flats" for the property located at 1056, 1088, and 1130 Blue River Parkway, Silverthorne, Colorado, also known as Lots 23R and 25 Silverthorne Subdivision #1 and an unplatted tract described at Reception No. 633874 (the "Property"), with certain conditions;

WHEREAS, on July 25, 2016, Blue River 50, LLC (the "Applicant") submitted an application for a Minor Subdivision Plat and Final Site Plan for the Property (the "Application");

WHEREAS, on October 4, 2016, Planning Commission held a properly-noticed public hearing on the Application and recommended approval of the Application with certain conditions;

WHEREAS, on October 12, 2016, the Town Council held a properly-noticed public hearing on the Application; and

WHEREAS, after considering the Staff Report, the Planning Commission recommendation and the comments of the Applicant and the public, the Town Council wishes to approve the Application with certain conditions.

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

Section 1. The Town Council finds that the Application complies with Chapter 4 of the Silverthorne Town Code, particularly Article V, Procedures and Requirements for Subdivisions, Article IV, Zoning Districts and Standards, and Article VI, Site Plan.

Section 2. Based on the foregoing findings, the Town Council hereby approves the Application, subject to the following conditions:

1. Prior to the submission of a building permit application, the Landscape Plan shall be modified to meet the required ratio of 50% coniferous trees and 50% deciduous trees;

2. Prior to the submission of a building permit application, the Lighting Plan shall be revised so that all pole-mounted light fixtures are located on the Property and set back from the Property lines at least as far as their height;

3. Prior to the start of any work on the Property, all comments of the Town Engineer shall be addressed; and

4. Prior to the start of any work on the Property, all comments of the Utilities Manager shall be addressed.

Section 3. The Town Council hereby approves the Subdivision Improvements Agreement between the Town and Blue River 50, LLC in substantially the form attached hereto, subject to final approval by the Town Attorney.

INTRODUCED, PASSED AND ADOPTED this 12th day of October, 2016.

Bruce Butler, Mayor

ATTEST:

Michele Miller, Town Clerk

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**TOWN OF SILVERTHORNE
PLANNING COMMISSION MEETING MINUTES
OCTOBER 4, 2016 – 6:00 P.M.**

1. CALL TO ORDER – The meeting was called to order at 6:00 p.m., September 20, 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: Susan Byers, Jenny Gloudemans, Donna Pacetti, Tim Nolan, Jess Nelsen and Brian Wray. Mike Bohlender and Jen Stachelski were absent. Staff attending tonight's meeting included: Matt Gennett, Planning Manager, Lina Lesmes, Senior Planner, Dan Gietzen, Town Engineer, and Melody Hillis, Planning Commission Secretary.

3. CONSENT CALENDAR – Donna Pacetti made a motion to approve the September 20, 2016, Planning Commission minutes. Tim Nolan seconded. The motion was approved by a vote of six to zero (6-0). Mike Bohlender and Jen Stachelski were absent.

4. CITIZEN COMMENTS:

None.

5. PUBLIC HEARING:

A. Minor Subdivision and Final Site Plan, Blue River Flats – 1056, 1088 and 1130 Blue River Parkway, Lots 23R and 25, Silverthorne Subdivision #1, and an unplatted tract described in warranty deed – Record No. 633874.

Lina Lesmes, Senior Planner, presented the project. The Applicant, Ken Marsh, Blue River 50, LLC, is requesting approval of a Minor Subdivision and Final Site Plan, to construct 46 condominium units in five, three-story buildings, and two additional garage structures.

COMMISSIONER QUESTIONS:

- Jenny Gloudemans - Would like more information about the power lines.
Lina Lesmes - Explained the ideal scenario that Staff would like to see.
Jenny Gloudemans - Requested further explanation about the power lines.
Lina Lesmes - Explained the different options and the ideal scenario that was discussed with the Applicant.
- Jess Nelsen - Is that like a corporate lease?
Lina Lesmes - Document gets recorded at the time the plat for the subdivision is recording, at that time the RETA agreement would be recorded.
- Susan Byers - The first round of sales would be exempt from the RETA?
Lina Lesmes - That is the proposal at this point.
Susan Byers - The project would sell out and the second conveyance would pay the RETA?
- Tim Nolan - The first purchasers would take the hit on the RETA when the units sold. Is that usual?
- Lina Lesmes - The Town of Silverthorne only has RETA on certain subdivisions.
Tim Nolan - There is no need to underground the utilities on Tract A.
Lina Lesmes - They don't need that land, so they are dedicating it to the Town.

APPLICANT COMMENTS:

- Paul Brady - Representing the Applicant. Explained the project in detail, addressed the question regarding the power lines. Requested approval.
- Tim Nolan - What would the cost be to go the Tammy Jamison Bridge.
- Paul Brady - Addressed the design differences from the previous presentation.
- Jenny GlouDEMANS - The columns, did they not work structurally or didn't like the look.
- Paul Brady -
- Donna Pacetti - Interior stairs to get to the second and third floors.
- Paul Brady - Explained the layout of the stairs in each building.
- Tim Nolan - People cross the highway in that area all the time
- Dan Gietzen - CDOT will not allow a crossing at that point.
- Brain Wray - Feels that the power line should be done now, while the site is torn up.
- Elena Scott - Trying to sensitive be to the surrounding property owners who are not expecting a bridge and other work that will be done.
- Jess Nelsen - What is the height of the proposed electric pole.
- Elena Scott - It will be the same as it is currently
- Tim Nolan - Feels that the undergrounding should be done, and taken advantage of to get it done in conformance with the Town's long-term plan.
- Ken Marsh - Explained the reasoning behind the power line and the proposed resolution. Explained what having to underground means to the long-term plans for the project. Feels that they have come up with a viable solution, with a source of funding.
- Brian Wray - Questioned the e-mail from Xcel stating that there were encroachments. Has that been resolved.
- Dan Gietzen - Lina included in her Staff report was that there were no encroachments from the decks and porches.
- Lina Lesmes - Xcel has provided a letter, it is in the file.
- Jenny GlouDEMANS - Think that the Applicant's proposal is a great job. Doesn't see how the bridge can just be dropped in the proposed spot.
- Tim Nolan - After the needed amount of funds is collected the power line will be undergrounded, correct?
- Lina Lesmes - Yes.
- Susan Byers - The RETA is only ear-marked for this project, not another project.
- Lina Lesmes - It will only be for this project.

PUBLIC COMMENT:

None.

PUBLIC COMMENT CLOSED

COMMISSIONER COMMENTS:

- Donna Pacetti - Looks good, will add to that area. Difficult to cross the river with the utilities. Bridge would be hard to locate.
- Tim Nolan - Concerns that this is welcoming from the north end of Town, have resolved that. Appreciate the explanation by the Applicant.
- Jess Nelsen - Look great. Still having some difficulty with the RETA, should be very clear and the risks associated with that.

JENNY GLOUDEMANS MADE A MOTION TO RECOMMEND APPROVAL OF THE MINOR SUBDIVISION AND FINAL SITE PLAN FOR BLUE RIVER FLATS WITH THE FOLLOWING STAFF RECOMMENDED CONDITIONS:

1. That the Landscape Plan be modified to meet the required ratio of 50% coniferous trees and 50% deciduous trees, with the submittal of the building permit.
2. That the Lighting Plan be revised such that all the pole mounted light fixtures are on the property and setback at least as far as their heights from the property lines.
3. That a Real Estate Transfer Assessment document be submitted in conjunction with a Condominium Plat for the project, or prior to the transfer or sale of any condominium.
4. That the comments of the Town Engineer be addressed.
5. That the comments of the Utilities Manager be addressed prior to the start of site work or construction.

DONNA PACETTI SECONDED.

MOTION PASSES BY A VOTE OF SIX TO ZERO (6-0)

6. INFORMATIONAL ITEMS:

7. ADJOURNMENT:

JENNY GLOUDEMANS MADE A MOTION TO ADJOURN.

DONNA PACETTI SECONDED. MOTION PASSES BY A VOTE OF SIX TO ZERO (6-0). JEN STACHELSKI AND MIKE BOHLENDER WERE ABSENT.

Submitted for approval by:

1st day of November, 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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MINUTES OF SPORT COMMITTEE
September 15, 2016

I. PROCEDURES

1. Call to Order: Don Hansen opened the meeting at 5:32pm.
2. Approval of Agenda/ Roll Call: Roll: Frank Gutmann, Bob Kieber, Don Hansen, Don Langmuir, JoAnne Nadalin, Mary Kay Rachwalski, Suzanne Reed, Kathy Swanson
Staff: Liz Hodson, Susan Lee, Jess Roberts
Absent: Tyler Bunnelle, Bob Mayerle, Marilyn Raymond, John Taylor, Pat Taylor
Guests: Bob Lau, Citizen; Greg Hardy, Trout Unlimited
3. Approval of Minutes: Motion to approve, Suzanne Reed, second; JoAnne Nadalin
4. Public Comment:

II. PUBLIC PRESENTATIONS

1. Water Walk – Greg Hardy
-Greg gave an update to the committee on his Water Walk planning. He has secured donations from Trout Unlimited (\$800), Copper Mountain (\$500), Cutthroat Anglers (\$5000), and the Town of Silverthorne (\$1000). He has an artist from Seattle working on illustrations for signage. The Walk will begin by picking up a map and activity book at the Colorado Welcome Center at the Outlets and continue ¾ of a mile with 5 potential stations/points of interest. Suzanne asked where the stations might be and Greg noted that he is planning to walk the path and invited SPORT to join him, date TBD, to decide on locations. JoAnne suggested including the Recreation Center on the tour. Greg hope to have signage in the ground this year. Frank Gutmann suggested the best place for trout viewing would be the 4th Street bridge. Greg is in the process of asking businesses to sponsor a sign. Susan Lee commented that this is a great addition to the Blue River Trail.

III. DISCUSSION ITEMS

1. Updates from 2016 Goals/Action list
 - a. Bicycle Friendly Community – Don H – Application Status
Don H. plans to reapply in February, 2017. There needs to be an active transportation component, and there is on in the Comp Plan. Kathy Swanson made a motion: I move that the SPORT Committee support bringing an ordinance to Town Council for approval regarding bike friendly traffic laws. Mary Kay Rachwalski second. All in favor, passed unanimously.
 - b. Arctic Placer – Susan Lee – Wall construction 2016
- Construction of the timber wall and fence is complete. CIRSA will conduct inspection on Monday.
 - c. Rainbow Park West Entrance Design – Susan Lee
-Moving forward. Goes in front of Planning Commission on 9/20 and then to Council on 9/28.
 - d. Willow Grove – Susan Lee – CDLT Joint Work Day September 22 – New Date!
-Neighbors have been notified re: work day and we have 12 confirmed volunteers.
 - e. Salt Lick/Arctic Placer Trails – Susan Lee
-Don Langmuir recapped the day. 5 SPORT members and 35 community

members helped with the project and it went very well. Cleanup was followed with an afternoon BBQ at NPP. Don feels the next efforts will be too far for truck assistance. Don H agreed it was very successful and should stay on next year's goals to continue with sprucing up.

f. North Pond Park – Winter Usage – Bob Kieber

-Bob Kieber asked if there is any history of trying to get more activity out there? Susan stated that it is in the POST Plan. Bob asked if more lighting could be added to enhance and encourage more usage. He feels it is an underutilized asset. Tyler is pursuing a grant for skates for his elementary school kids.

-Jess said that there will be a smaller "community" rink available this winter and hopefully ready before Christmas. As always, the pond plowing is not a priority for the Public Works crew; streets and sidewalks take precedence.

-Susan asked if there were SPORT members who would like to work together to look at the NPP Master Plan. JoAnne and Suzanne agreed. Susan will set meeting date/time and ask Tyler and John and Pat Taylor to join.

2. Budget Prioritization of POST Goals for 2017/2018 – Recap/Council Work session

-Susan stated that Kathy Swanson gave a great overview of SPORT's goals and accomplishments to Town Council. Susan said many of the priority items have been included in the 2017-18 budget.

OTHER:

-Don Hansen felt that the Open Space Inventory goal needed some attention. A list of Open Space Properties was handed out. Susan will email maps, and divided up amongst SPORT members as follows:

1. Cottonwood, Lower Bench (20 acres) – Frank/ Don H.
2. ISA Silver (0.6 acres) - Frank/ Don H.
3. Ray Property (11 acres) - Frank/ Don H.
4. Toe of the Boot (1 acre – adjacent to Cottonwood) - Frank/ Don H.
5. The Ponds (18 acres) – Bob K.
6. South Pond (11 acres) – Bob K.
7. Angler Mountain (11 acres) – Suzanne/ Kathy
8. Blue River Run (8 acres) – Bob L./ Don L.
9. Willow Grove (15 acres) - CDLT
10. River Corridor (15 acres – from The Outlets to Town Hall) – JoAnne/ Susan
11. Straight Creek (6 acres) – Bob M.
12. Mesa Cortina 2 (32 acres) - CDLT
13. Bashore (22 acres – located in Summit County) - CDLT
14. The Rock Outcropping (3 acres) – Don H.
15. Enterprise Tract A (4 acres) – Susan
16. Mellema (10 acres) – Susan
17. David Spencer (2.89 acres) – Mary Kay

III: ANNOUNCEMENTS

1. Upcoming dates:
 - a. Willow Grove Work Day with CDLT – Thursday, September 22, 2016, 9-1pm
Sign Code Open House – Wednesday, October 5, 2016, 4pm-6pm, Pavilion
 - b. Next SPORT Meeting – Thursday, October 20, 2016, 5:30pm.
2. Staff and Member Comments
Tom Dopplick has resigned from the Committee which means there is an open seat. If someone is interested send letter of interest to Susan or Liz. Staff will post ads in the Summit Daily, the Town website, Facebook, and manager updates.

V: ADJOURNMENT

Motion to adjourn at 6:50pm Suzanne Reed, second Mary Kay Rachwalski

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