



# Silverthorne Area

## Conditions Survey

Town of Silverthorne, Colorado

Surveyed and Submitted January and February 2013

### Prepared for:

Silverthorne Urban Renewal Authority (SURA)  
Silverthorne Town Council

### Prepared by:

Ricker|Cunningham  
8200 South Quebec Street, Suite A3-104  
Centennial, CO 80112

303.458.5800 phone  
303.458.5420 fax

[www.rickercunningham.com](http://www.rickercunningham.com)



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Town of Silverthorne, Colorado

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# Silverthorne Area

## Conditions Survey

Town of Silverthorne, Colorado

### 1.0 Introduction

The following report, the *Silverthorne Area Conditions Survey* (the “Survey”) was prepared for the Silverthorne Urban Renewal Authority (SURA) and Silverthorne Town Council in January and February 2013. The purpose of this work was to analyze conditions within a defined Survey Area (also referred to here as “the Survey Area” or “Area”) located within the Town of Silverthorne, Colorado, in order to determine whether factors contributing to blight are present and whether it is, therefore, eligible as an urban renewal plan area under the provisions of the Colorado Urban Renewal Law.

The Survey Area includes 84 parcels all located east and west of Blue River Parkway (U.S. Highway 9) between 6<sup>th</sup> Street on the north and Interstate 70 (I-70) on the south in the Town of Silverthorne. (See **Figure 1**). Properties within the Survey Area are owned by a variety of entities and individuals including 25 percent by out-of-state interests and 49 percent by an interest located in Silverthorne, Dillon, Frisco or Breckenridge. All property owners of record were notified that the Survey was being conducted.

This *Silverthorne Area Conditions Survey* represents a necessary step in the determination of blight and establishment of an urban renewal area with the intent of addressing the problems outlined herein. As such, it is also an important step in advancing community goals set out in the Town’s comprehensive planning documents specifically related to private property investment and reinvestment, a higher intensity of development, stronger pedestrian-oriented environment, public infrastructure improvements and increased municipal revenues.

Establishment of an urban renewal plan area, after a declaration of blight, will allow the Town of Silverthorne, through its urban renewal authority, to use designated powers to assist in the mitigation of blighted conditions in the plan area and improvement of infrastructure within and adjacent to its boundaries.

Figure 1: Survey Area



## 2.0 Definition of Blight

A determination of blight is a cumulative conclusion based on the presence of several physical, environmental, and social factors defined by state law. In reality, blight is often attributable to a multiplicity of conditions, which, in combination, tend to contribute to the phenomenon of deterioration of an area. For purposes of this Survey, the definition of a blighted area is based upon the definition articulated in the Colorado Urban Renewal Law, as follows:

*“Blighted area” means an area that, in its present condition and use and, by reason of the presence of at least four of the following factors, substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare:*

- (a) Slum, deteriorated, or deteriorating structures;*
- (b) Predominance of defective or inadequate street layout;*
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;*
- (d) Unsanitary or unsafe conditions;*
- (e) Deterioration of site or other improvements;*
- (f) Unusual topography or inadequate public improvements or utilities;*
- (g) Defective or unusual conditions of title rendering the title non-marketable;*
- (h) Existence of conditions that endanger life or property by fire or other causes;*
- (i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;*
- (j) Environmental contamination of buildings or property;*
- (k.5) Existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements;*
- (l) If there is no objection of such property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban renewal area, “blighted area” also means an area that, in its present condition and use and, by reason of the presence of any one of the factors specified in paragraphs (a) to (k.5) of this*

*subsection (2), substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare. For purposes of this paragraph (1), the fact that an owner of an interest in such property does not object to the inclusion of such property in the urban renewal area does not mean that the owner has waived any rights of such owner in connection with laws governing condemnation.*

*Source: Colorado Revised Statute 31-25-103(2).*

While the conclusion of whether an area constitutes a legally “blighted area” is a determination left to municipal legislative bodies, this Survey provides detailed documentation of the aforementioned physical, environmental and social factors as they exist within the boundaries defined herein. Note: It is not legally necessary for every factor to be present in an area in order for it to be considered “blighted”. In addition, a given factor need not be present on each and every parcel or building to be counted, but must be found somewhere in the area as a whole. In other words, the presence of one or more well-maintained, non-blighted buildings or parcels does not necessarily preclude a finding of blight for a larger area in which blighting factors are present elsewhere<sup>1</sup>. Rather, an area qualifies as blighted when *four* or more factors are present (or *five* factors, in cases where the use of eminent domain is anticipated). As explained in item (l) above, this threshold may be reduced to the presence of *one* blighting factor in cases where no property owners and tenants in the area object to inclusion in an urban renewal plan area. The total number of factors found in the subject Survey Area totaled 11 conditions all of which are described in greater detail herein.

With this understanding, the *Silverthorne Area Conditions Survey* presents an overview of factors within the Survey Area sufficient to make a determination of blight. Section 5.0 (Summary of Findings) provides conclusions regarding the presence of qualifying conditions in the Survey Area; however, the Silverthorne Town Council will make a final determination as to whether the Survey Area constitutes a “blighted area” under Colorado Urban Renewal Law.

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<sup>1</sup> While not clearly addressed in Colorado Urban Renewal law, this interpretation has been favored by the courts.

### **3.0 Study Methodology**

Ricker|Cunningham personnel conducted field investigations in January and February of 2013 for the purpose of documenting conditions within the categories of blight shown on pages 4 and 5. Pertinent Geographic Information Systems (GIS) data from the Summit County Assessor's Office and the Town of Silverthorne were also obtained and subsequently analyzed. Finally, discussions with Town of Silverthorne Staff were conducted and collectively the results of these efforts are discussed herein.

The 11 factors listed in the Urban Renewal Law (see Section 2.0 of this report) contain few specific details or quantitative benchmarks to guide the conditions survey process, therefore, Ricker|Cunningham has developed a checklist of more specific categories of blighting conditions within each statutory factor to aid in the identification and characterization of blight factors. This checklist has been used in nearly 50 urban renewal conditions surveys for dozens of municipalities across Colorado, and the Southern and Western United States.

#### **(a) Slum, deteriorated, or deteriorating structures**

This factor is said to be present when the physical condition of structures in the area present specific life-safety concerns. Sub-categories include deterioration or absence of the following:

- Roof
- Walls fascia board and soffit
- Foundation
- Gutters and downspouts
- Exterior finish
- Windows and doors
- Stairways and fire escapes
- Mechanical equipment
- Loading areas
- Fences, walls and gates
- Other non-primary structures

**(b) Predominance of defective or inadequate street layout**

This factor is said to be present when the layout (or non-existence) of streets or roads creates problems for health, safety, welfare or sound development. Sub-categories include inadequate or elevated:

- Vehicular access
- Internal circulation
- Driveway definitions and curb cuts
- Parking layout
- Traffic accident history

**(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness**

This factor is said to be present when lot size or configuration inhibits or is likely to inhibit sound development. Sub-categories include inadequate or unsafe:

- Lot shape or layout
- Vehicular access - parcels with poor access are usually found to have both category (b) and (c) present
- Lot size

**(d) Unsanitary or unsafe conditions**

This factor is said to be present when safety hazards and conditions are likely to have adverse effects on the health or welfare of persons in the area due to problems with a lack of infrastructure. Sub-categories include the presence of:

- Poorly lit or unlit areas
- Cracked or uneven sidewalks
- Hazardous contaminants
- Poor drainage
- Flood hazards
- Steep slopes
- Unscreened trash or mechanical equipment



- Pedestrian safety issues
- High crime incidence
- Lack of fire protection
- Vagrants, vandalism and graffiti

**(e) Deterioration of site or other improvements**

This factor is related to factor (a), and said to be present when land and/or structures have been either damaged or neglected. Sub-categories include the presence of, deteriorating or lack of:

- Billboards
- Signage
- Poorly maintained properties, streets, and other public improvements
- Trash, debris and weeds
- Parking surfaces, curbs and gutters
- Landscaping

**(f) Unusual topography or inadequate public improvements or utilities**

This factor represents the combination of two formerly separate factors. To that end, it is said to be present when the topography is incompatible with development (hilly, sloped, etc.) or properties are lacking complete public infrastructure. Sub-categories include the presence of, deteriorating or lack of:

- Slopes or unusual terrain
- Street pavement
- Curb and gutter
- Street lighting
- Overhead utilities
- Sidewalks
- Roads
- Water and sewer service
- Storm water quality and drainage improvements

**(g) Defective or unusual conditions of title rendering the title non-marketable**

This factor is said to be present when there are problems with the marketability of property titles, including unusual restrictions, unclear ownership, etc. Due to the expense of title searches, this blight factor is typically not examined unless developers or land owners provide documentation of known problematic title issues. (No sub-categories).

**(h) Existence of conditions that endanger life or property by fire or other causes**

This factor is said to be present when site and / or building maintenance or use issues exist that may threaten site users. This factor also includes potential threats from fire or other causes. Sub-categories include the presence of:

- Fire safety problems
- Hazardous contaminants
- High frequency of crime
- Floodplain and flood hazards

**(i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidations, deterioration, defective design, physical construction, or faulty or inadequate facilities**

This factor is said to be present when primary improvements, specifically those described in the context of factors (a) and (d) above, as well as property, poses a danger to the extent that habitation and/or daily use is considered unsafe. Sub-categories include the presence or lack of:

- Hazardous contaminants
- Fire safety infrastructure
- Unsafe building facilities
- All of the factors listed under (h) above

**(j) Environmental contamination of buildings or property**

This factor is said to be present when there exist threats from chemical or biological contamination. Unlike category (i) above, this factor can be said to exist even when such contamination does not pose a direct health hazard, so long as it causes other problems (i.e. inhibits development). Sub-categories include the presence of:

- Hazardous contaminants

**(k.5) Existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements**

This factor is said to be present when properties or their improvements are underutilized; or, there is a disproportionate amount of public service being provided. For instance, properties generating frequent calls for police or fire service or code enforcement often require more than their share of services. Sub-categories include the presence of:

- High frequency of fire calls
- High crime incidence
- Site and building underutilization
- All of the factors listed under (d) and (h) above

**4.0 Survey Area Facts**

The overall Survey Area consists of 84 parcels which collectively consist of approximately 65 acres. As explained earlier, all of the properties in the Survey Area are located east and west of Blue River Parkway (U.S. Highway 9) between 6<sup>th</sup> Street on the north and I-70 on the south in the Town of Silverthorne. Approximately 25 percent of the 84 properties are owned by out-of-state interests, while 49 percent are owned by an interest located in Silverthorne, Dillon, Frisco or Breckenridge.

## 5.0 Summary of Findings

The presence of blight that “...*substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare...*” [Colorado Revised Statute 31-25-103(2)]

It is the conclusion of this Survey that, within the Survey Area described in this report, there are physical conditions sufficient to meet criteria established in the Act as “blighting factors.” As described herein, 11 of the possible 11 blight factors are present including: a) slum, deteriorated or deteriorating structures; b) predominance of defective or inadequate street layout; c) faulty lot layout in relation to size, adequacy, accessibility, or usefulness; d) unsanitary or unsafe conditions; e) deterioration of site or other improvements; f) unusual topography or inadequate public improvements or utilities; g) defective or unusual conditions of title rendering the title non-marketable; h) existence of conditions that endanger life or property by fire or other causes; i) buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidations, deterioration, defective design, physical construction, or faulty or inadequate facilities; j) environmental contamination of buildings or property; and, k.5) substantial physical underutilization or vacancy of sites, buildings, or other improvements.

### **(a) Slum, deteriorated, or deteriorating structures**

The Survey Area hosts a significant number of both commercial and industrial structures, some of which have met their useful life and others which have been neglected and show signs of disrepair. Whereas no interior inspections of buildings were conducted, deterioration is noted on the exterior of structures. Among the conditions which appear most prevalent are deteriorating exterior finishes, damaged fences and poorly maintained non-primary structures. Improvements which suffer from this factor are largely located in the northern portion of the Survey Area.

Instances of the following structural components related to factor (a) were found to be deteriorating or absent in the Survey Area:

- Roof
- Walls, fascia board and soffit
- Foundation
- Gutters and downspouts
- Exterior finish
- Windows and doors
- Stairways and fire escapes
- Loading areas
- Fences, walls and gates
- Other non-primary structures

**(b) Predominance of defective or inadequate street layout**

Predominance of defective or inadequate street layout can be considered present when existing roads are insufficient to meet the needs of land uses within an area (capacity), there is a lack of streets, or the streets that are in place are deteriorating or substandard. Roadways located adjacent to properties within the Area and roadways within properties suffer from two of these conditions. Several unimproved properties are lacking roadway improvements that would allow for internal circulation. Among the improved properties, many are bordered by roads with an inconsistent system of curbs and gutters. Nearly all of the roadways in the Survey Area are lacking proper driveway definition (curb cut), lighting and sidewalks, making them deficient in terms of their ability to support improvements associated with property redevelopment as described in the Town comprehensive planning documents. Others have too many driveways, driveways that are too wide and / or driveways that are too close to the intersection.

Another sub-category considered in the context of this factor is a high frequency of traffic accidents (usually resulting from inadequacies in roadway design or condition). According to representatives of the Town of Silverthorne Police Department, a new system of stop signs has been successful in addressing a previously high frequency of accidents between 3<sup>rd</sup> and 4<sup>th</sup> Streets along Adams. They did note, however, that traffic back-ups sometimes occur at the Rainbow Drive and Tanglewood Lane intersection and on Blue River Parkway leading to the I-70 interchange.

Instances of the following sub-categories of factor (b) were found to be inadequate or elevated in the Survey Area:

- Vehicular access
- Internal circulation
- Driveway definitions and curb cuts
- Parking layout

**(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness**

Because faulty streets often produce faulty lots, particularly when they impact vehicular access, many properties within the Survey Area that suffer from conditions associated with (b) also suffer from (c) for the reasons explained above. In addition, there were lots identified as faulty because of their shape and / or size. Numerous parcels which could be described as “remnants” resulting from prior property subdivisions were identified, as were several parcels that due to their size could not be redeveloped without being part of a larger property assemblage.

Instances of the following sub-categories of factor (c) were found to be deficient in the Survey Area:

- Lot shape or layout
- Vehicular access - parcels with poor access are usually found to have both category (b) and (c) present
- Lot size

**(d) Unsanitary or unsafe conditions**

Multiple factors were identified that contribute to unsafe conditions in the Survey Area. While there are improvements that appear dilapidated, no information was provided that specifically characterized these structures as unsafe. Conditions which give rise to potentially dangerous circumstances are largely attributable to insufficient improvements for non-vehicular movement, including a lack of street

lighting, incomplete or inadequate sidewalks and steep slopes (the latter most frequently associated with parcels located adjacent to the Blue River and those closer to the I-70 corridor) all of which render the Area unsafe for pedestrians. Numerous properties were identified as having insufficient infrastructure to accommodate safe non-vehicular movement (primarily due to their adjacency to a substandard roadway).

Town Staff reports numerous segments of roadways which need, but do not have sidewalks, including Adams from 6<sup>th</sup> to Buffalo Mountain Drive. Pedestrian facilities on Brian Avenue are absent from 4<sup>th</sup> to 2<sup>nd</sup> Streets and on 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> Streets. On other streets, sidewalks have only been constructed on one side of the street. Given a ROW width of 60 feet, adding sidewalks on these streets may require additional easements depending on whether on-street parking is also provided, much less curbs and gutters and turn lanes. Given the necessity for adequate space for snow storage and the constraints of the physical environment, it is highly likely that the Town or future private investment would need to construct structured parking facilities. Any new pedestrian improvements would need to be ADA compliant, including adequate ramps and widths.

Other unsafe conditions include the presence of hazardous contaminants on at least two sites – Parcels 50 and 20. According to Town Staff, the Survey Area includes at least five current or former gas stations, many of which have had issues with contamination of groundwater, however documentation was only provided for these two. There is an active cleanup on Parcel 50 (3<sup>rd</sup> Street and Blue River Parkway) which is described in greater detail under (h) below and for which documentation is presented in Appendix D.

Insufficient infrastructure for fire protection is an unsafe condition that affects 36 percent of the properties in the Area, according to the Lake Dillon Fire Protection District. Under the Town's existing code, any new buildings greater than 6,000 square feet must be sprinklered. If an existing structure is smaller than 6,000 square feet, but is altered and the total size reaches 6,000 square feet, it must be sprinklered. If an existing structure is over 6,000 square feet and additional square footage is added, it must be sprinklered. If an existing structure is over 6,000 square feet and over 50% of the space is remodeled, it must be sprinklered. The cost of fire protection can be a deterrent to redevelopment which is

counterproductive to the expressed community vision for the Area. Finally, while the current water supply and flow will be adequate to handle redevelopment at a scale comparable to existing development in the Area, any new development with multiple stories would require a pump.

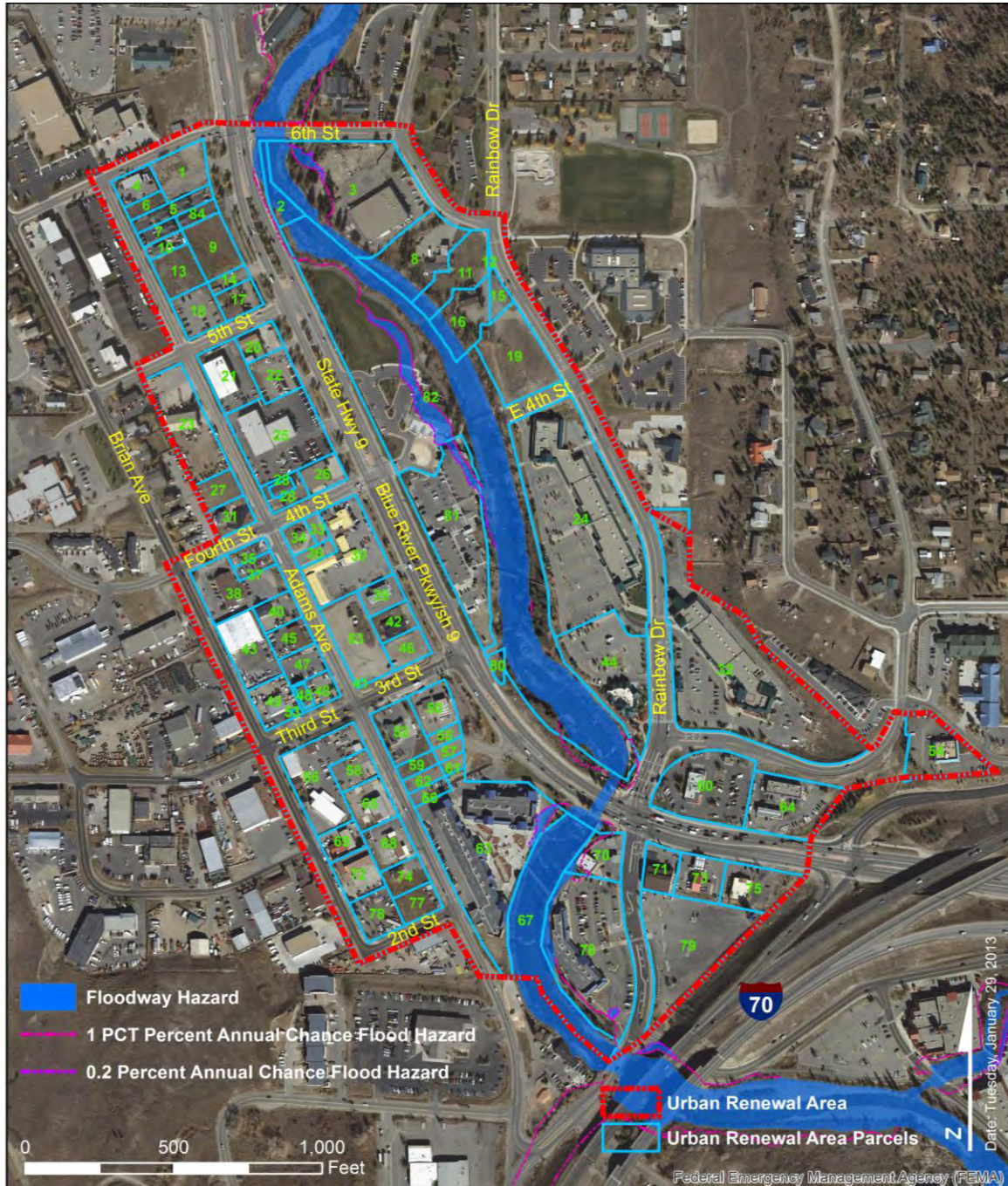
In addition to the roadway and facility conditions described above, Town of Silverthorne Staff report numerous drainage issues within the Area, primarily on the west side of Blue River Parkway. Drainage is provided via open roadside ditches and many either lack adequate culverts or are disjointed from each other. With any significant redevelopment of the Area, an underground storm drainage system, including provisions for water quality protection for the Blue River, would need to be constructed. At the present time there are four major drainage areas where the Town discharges urban flows into the Blue River. These are at Blue River Parkway and Rainbow Drive, east of the Pavilion Bridge, Blue River Parkway just south of 6<sup>th</sup> Street, and at Blue River Parkway at 3<sup>rd</sup> Street. With the exception of the drainage area east of the Pavilion Bridge, little if any water quality control exists in these locations.

Two additional factors considered to contribute to an unsafe environment are the presence of a flood zone and a high frequency of criminal incidents. As reflected in **Figure 2** below, there is a 100-year flood zone present and associated with the Blue River. It impacts properties within the Survey Area primarily east of Blue River Parkway and in the southwest quadrant of Blue River Parkway and Rainbow Drive. With regard to criminal activity, parcels located in the southeast quadrant of 4<sup>th</sup> Street and Adams Avenue report the most significant number of incidents – the Summit Stage Transfer Station (Parcels 33, 34, 36) and the 1<sup>st</sup> Interstate Inn (Parcel 30). Service calls to these properties are for assaults, harassment, drugs, intoxication, stolen property, domestic violence, theft, drugs, harassment, and run-aways.

In addition to factors contributing to unsafe conditions are those that make some properties within the Area unsanitary. Random instances of weeds, unscreened



Figure 2: Flood Zone



trash and graffiti were observed which collectively contribute to an unsanitary environment.

Instances of the following sub-categories of factor (d) were found to be present in the Survey Area:

- Poorly lit or unlit areas
- Hazardous contaminants
- Poor drainage
- Flood hazards
- Steep slopes
- Unscreened trash or mechanical equipment
- High crime incidence
- Lack of fire protection
- Vagrants, vandalism and graffiti

**(e) Deterioration of site or other improvements**

Within both commercial and industrial properties in the Area, there were observable instances of parking surface deterioration, the presence of trash and weeds, aged and deteriorating signs and a lack of landscaping. Within and along public rights-of-way, there are instances of ill-maintained drainage systems.

Instances of the following sub-categories of factor (e) were found to be present, deteriorating or lacking in the Survey Area:

- Signage
- Poorly maintained properties, streets, and other public improvements
- Trash, debris and weeds
- Parking surfaces, curbs and gutters
- Landscaping

**(f) Unusual topography or inadequate public improvements or utilities**

With regard to topography, as explained under (d) above, parcels with steep slopes are primarily those located adjacent to the Blue River and closer to the I-70 corridor. An additional grade separation impedes development on Parcel 63. Inadequate public improvements in the Area, previously discussed, are largely associated with either an absence of streets or streets that are incomplete (lacking pavement, curbs and / or gutters, lighting, sidewalks and / or parking) and drainage. Among the sidewalks that are present, most are either too narrow for appropriate capacity or too close to the adjacent right-of-way, creating an unsafe environment for pedestrians. Drainage is provided via open roadside ditches and many either lack adequate culverts or are disjointed from each other.

Other public improvements that are either deteriorating or inadequate include those that provide water and sewer service to the Area. According to Town Staff, there are two pump stations and four wells within the Area. Whereas none can be easily moved, they will need to be considered in any redevelopment program for the Area. The pump house and well locations are part of the Town's water rights and therefore cannot be easily changed. Sewer lines run north down the mid-block between Highway 9 and Adams Avenue, and between Adams and Brian Avenues, along with other shallow utilities such as phone, electric, and cable. The sewer lines running mid-block between Highway 9 and Adams is a JSA line serving all of Wildercrest Road and Mesa Cortina, as well as adjacent Silverthorne businesses. Many of these sewer lines are clay pipe and even if not relocated, they will need to be upgraded or lined. The existing JSA line runs directly underneath Parcel 25 which is discussed in greater detail under (g) below. Water lines are undersized in certain locations such as within Adams Avenue between Buffalo Mountain Drive and 2<sup>nd</sup> Street. In addition, cast iron pipe water mains are present in several locations including on 6<sup>th</sup> Street west of Highway 9, which need to be replaced with ductile iron pipe.

Based on information provided by the Town of Silverthorne Public Works Department, improvements planned (and some funded) for the Area to address existing deficiencies include the reconstruction of the Blue River Parkway and Rainbow Drive intersection which will include widening Rainbow Drive and realigning it to better line up with Wildercrest Road. This is currently under final design by CDOT, with construction slated for 2014. In addition, CDOT is studying

reconstruction of the westbound on-ramp and eventual reconstruction of the entire interchange to a diverging diamond. Ultimate build-out of properties in Town near the interchange will likely require another widening of Wildercrest Road from Stephens Way to Blue River Parkway by adding another lane in each direction, including a free flowing right turn onto the Parkway going southbound. Adequate ROW will need to be acquired for all of this work.

Instances of the following sub-categories of factor (f) were found to be present, deteriorating or lacking in the Survey Area:

- Slopes or unusual terrain
- Curb and gutter
- Street lighting
- Overhead utilities
- Sidewalks or parking
- Roads
- Water and sewer service
- Storm water quality and drainage improvements

**(g) Defective or unusual conditions of title rendering the title non-marketable**

As explained earlier, this factor is said to be present when there are problems with the marketability of property titles, including unusual restrictions, unclear ownership, etc. While no title searches were completed as part of this survey, Town Staff reported the presence of numerous easements on properties throughout the Area, many of which purportedly impede development. For example, there is an existing “no-build” easement on the former Eddie Bears site, currently being proposed for a new Carquest, which limits how this property can be built on. In addition to private easements which restrict development, public easements which have the same impact include a CDOT right-of-way which limits the development potential of select parcels located along Blue River Parkway and the West Bank Interceptor Sewer Line. This sewer line runs under or directly adjacent to improvements on Parcels 5, 7, 25 and 84. Because both of these circumstances could result in an economic impact to the property owner, they have been identified as a condition related to this factor. The location of utility

lines which impact these properties are reflected in **Figure 3** on the following page.

**(h) Existence of conditions that endanger life or property by fire or other causes**

Factors that threaten site users which were either observed or identified in the Survey Area include those previously mentioned – lack of protection from fire, presence of hazardous contaminants, high incidence of crime and the presence of a floodplain. Based on a report by representatives of the Lake Dillon Fire Protection District, there are numerous instances of buildings that do not have adequate fire protection infrastructure (sprinklers). With regard to hazardous contaminants, as explained earlier and in more detail under (j) below, there is the presence of hazardous contaminants as reported by the State of Colorado within the Survey Area. Detailed information about criminal activity was provided by the Town of Silverthorne Police Department and explained above. A 100-year flood zone is present within the Blue River corridor and impacts select properties located primarily east of Blue River Parkway.

Instances of the following sub-categories of factor (h) were found to be present in the Survey Area:

- Fire safety problems
- Hazardous contaminants
- High frequency of crime
- Floodplain

**(i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidations, deterioration, defective design, physical construction, or faulty or inadequate facilities**

Because a lack of safety or unhealthy conditions can also be considered to endanger life or property, the Survey Area suffers from this blight factor for the reasons explained under several of the factors above. Daily use of select properties within the Survey Area may also be unsafe because of incidents of crime, but more likely because of the lack of protection from fire.

Figure 3: Water and Sewer Lines



The following sub-categories of factor (i) were present, deteriorating or lacking in the Survey Area:

- Hazardous contaminants
- Fire safety infrastructure
- Many of the factors listed under (h) above

**(j) Environmental contamination of buildings or property**

As explained above, documentation related to hazardous contaminants was provided for two sites within the Survey Area. According to the Division of Oil and Public Safety (OPS), pilot testing of soil vapor extraction (SVE) and air sparging (AS), design of an SVE / AS remediation system, the installation of 10 additional groundwater monitoring wells and up to 23 quarters of groundwater monitoring and reporting through the first quarter of 2014 was approved on May 15, 2009 at 299 Blue River Parkway, or Parcel 50. Additional information related to this authorization and additional modifications to the Correction Action Plan (CAP) is presented in Appendix E.

Instances of the following sub-category of factor (j) was found to be present in the Survey Area:

- Hazardous contaminants

**(k.5) Existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements**

Two conditions were identified as being present within the context of this factor – incidents of criminal activity which require high levels of municipal service and site or building underutilization. As explained and illustrated above, two properties in the Survey Area have experienced instances of criminal activity resulting in a disproportionate impact on municipal services. In addition to high levels of municipal services, there is “substantial physical underutilization and vacancy of

sites, buildings, and other improvements” as evidenced by vacant tracts located east and west of the Parkway and vacancies within commercial centers located within and adjacent to the Area. Among these vacancies are units within the Outlets Green Village (Parcel 24).

Instances of the following sub-categories of factor (k.5) were found to be present in the Survey Area:

- High crime incidence
- Site and building underutilization
- Many of the factors listed under (d) and (h) above

## 6.0 Summary of Factors

Table 1 summarizes the findings across all surveyed parcels. As shown, **11** of the **11** total possible factors were found, to some extent, within the Survey Area. Additionally, all 11 factors (as discussed earlier) were present to a degree that appeared likely to have a significantly negative impact on safety, welfare and / or sound development.

**Table 1**  
**Silverthorne Area Conditions Survey - Summary of Findings**

<b>Blight Qualifying Factor</b>	<b>Present Total Survey Area</b>	<b>No. of Parcels with Factor Present</b>
(a)	X	9
(b)	X	64
(c)	X	25
(d)	X	82
(e)	X	22
(f)	X	81
(g)	X	4
(h)	X	39
(i)	X	30
(j)	X	2
(k5)	X	29
<b>Total Factors</b>	<b>11</b>	

Source: Ricker|Cunningham.





## **Appendix A: Survey Conditions (Factors) by Location**

(a) Slum, deteriorated, or deteriorating structures



**(b) Predominance of defective or inadequate street layout**



(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness



(d) Unsanitary or unsafe conditions



(e) Deterioration of site or other improvements



(f) Unusual topography or inadequate public improvements or utilities



(g) Defective or unusual conditions of title rendering the title non-marketable





(h) The existence of conditions that endanger life or property by fire or other causes



(i) Buildings that are unsafe or unhealthy for persons to live or work in ...



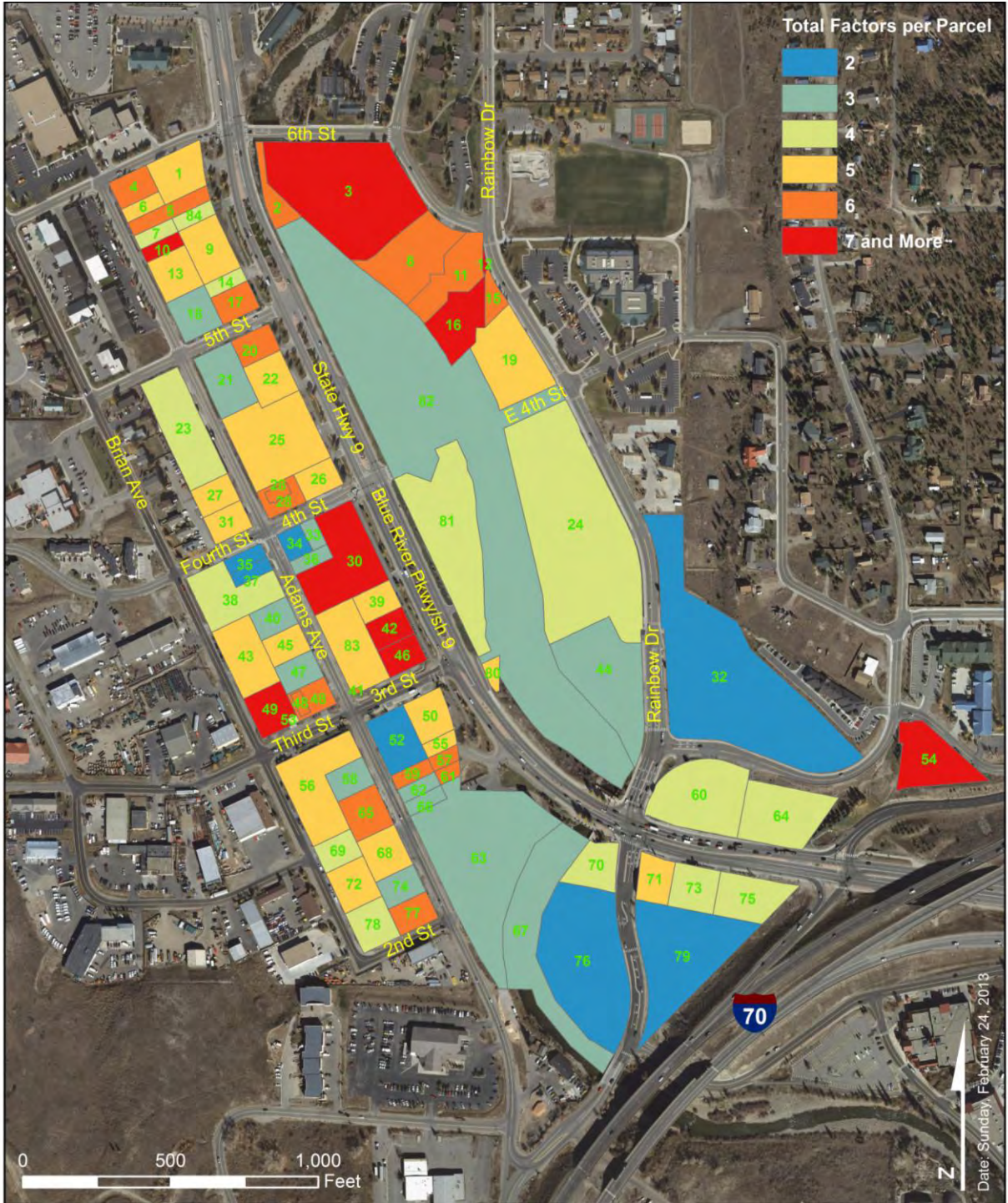
(j) Environmental contamination of buildings or property



- (k5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements



**Total Factors**





## **Appendix B: Photo Inventory (Examples from the Survey Area)**















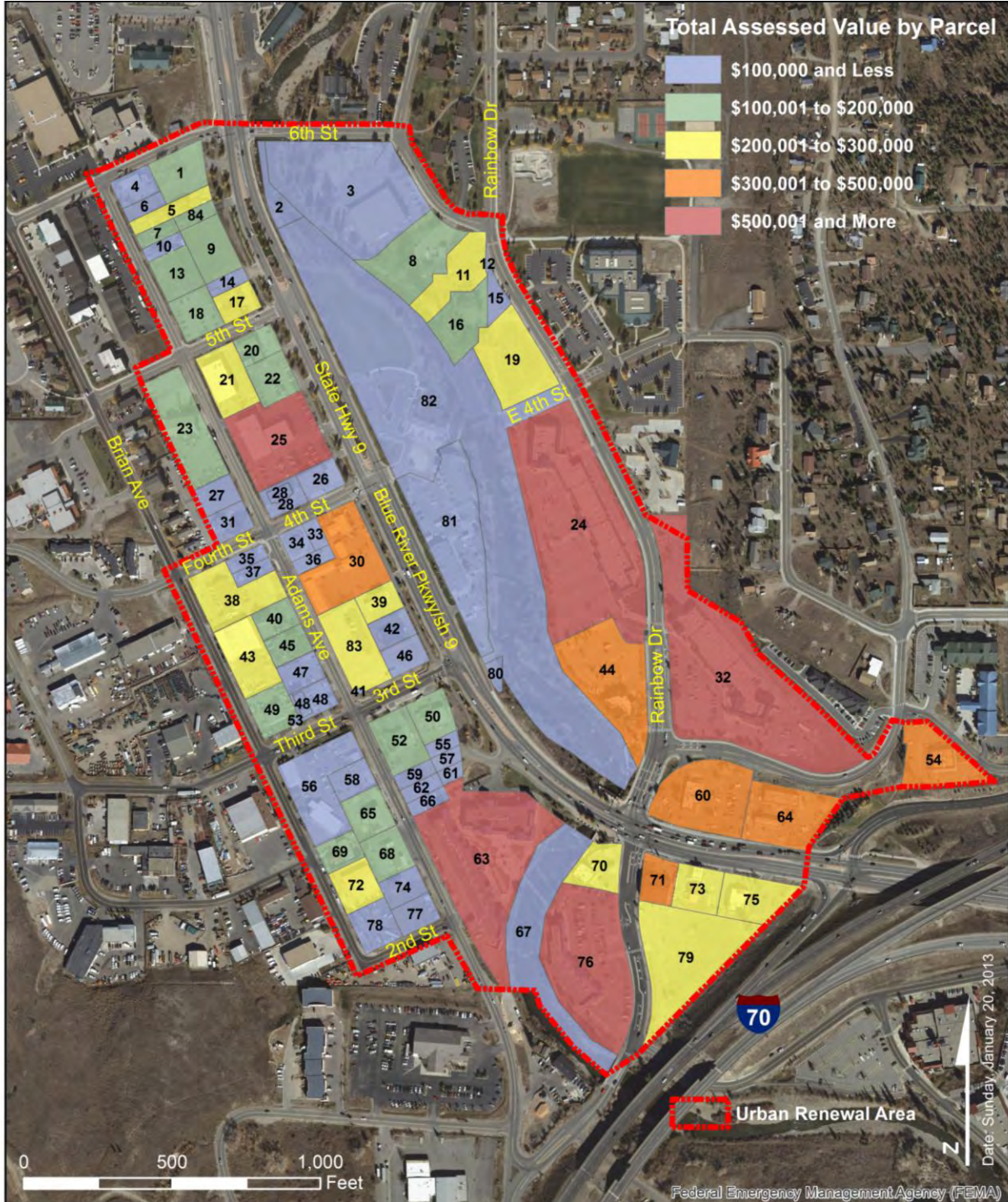






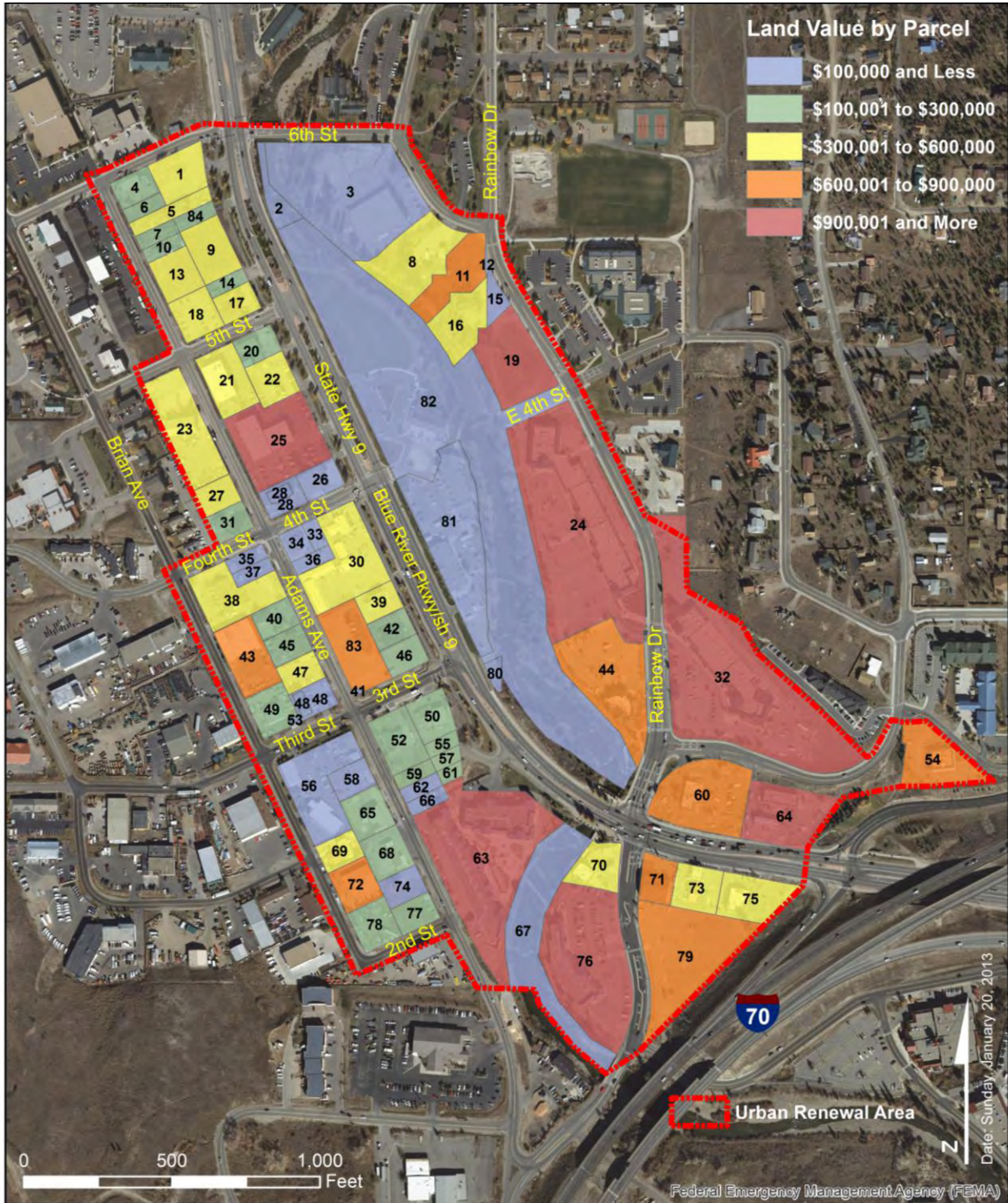
## **Appendix D: Miscellaneous Survey Area Maps**

**Survey Area: Total Assessed Value**





### Survey Area: Land Value



### Survey Area: Property Utilization





**Appendix E: Department of Labor and Employment: Environmental Remediation Letter**

Subject:

299 Blue River Parkway  
Sav-O-Mat

BILL RITTER, JR  
Governor

DONALD J. MARES  
Executive Director

MAHESH ALBUQUERQUE  
Director of Oil and Public  
Safety



## DEPARTMENT OF LABOR AND EMPLOYMENT

Division of Oil and Public Safety  
Remediation Section  
633 17<sup>th</sup> Street  
Suite 500  
Denver, Colorado 80202-3610  
(303) 318-8500; Fax (303) 318-8546  
Website: <http://oil.cdle.state.co.us>

September 24, 2009

VIA CERTIFIED MAIL #7008 3230 0002 7582 4562

Return Receipt Requested

BUZZ CALKINS  
BRADLEY PETROLEUM  
7268 SOUTH TUCSON WAY  
ENGLEWOOD CO 80112-3920

Re: Approval of Corrective Action Plan (CAP) Modification for Sav O Mat, Inc., 299 Blue River Pkwy, Silverthorne, Summit County, Colorado. (Event ID 9909)

Dear Mr. Calkins:

The Division of Oil and Public Safety (OPS) has reviewed the CAP Modification including the Economic Feasibility Summary (EFS) forms received on August 26, 2009. The original CAP Modification and EFS was approved by OPS on May 15, 2009 for pilot testing of soil vapor extraction (SVE) and air sparging (AS), design of an SVE/AS remediation system, the installation of ten additional groundwater monitoring wells, and up to twenty-three quarters of groundwater monitoring and reporting through the 1<sup>st</sup> quarter of the year 2014. The following modifications to the CAP are hereby approved:

1. *Installation of an SVE/AS remediation system (System) that will include the following:*
  - *Drilling and completion of eight additional SVE wells and seven additional AS wells, with pneumatic groundwater pumps to be installed in four SVE wells located along the east side of the existing tank basin and dispenser islands;*
  - *Three pneumatic groundwater pumps to be installed in monitoring wells MW-4, MW-5, and MW-10 to address remaining free-phase petroleum product;*
  - *A groundwater reinjection trench to be located in the area between monitoring wells MW-1 and MW-9.*
2. *Up to five enhance fluid recovery (EFR) events as needed to recover free product until the System is installed and operating;*
3. *Completion of System startup activities and completion of a comprehensive System startup report;*
4. *Performance of monthly System operation and maintenance (O&M) activities for up to four years following System startup, with bi-monthly O&M visits during the first six months of System operation; and*
5. *Completion of site decommissioning activities following closure of Event 9909 by OPS.*

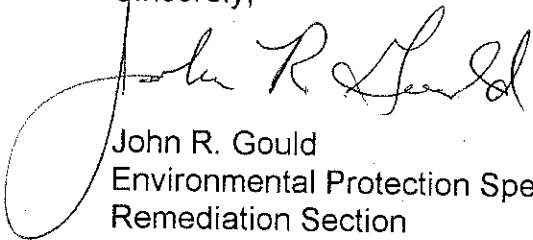
The EFS submitted with this CAP Modification has been approved for \$996,247.86. The total CAP EFS costs through site closure have been revised to \$1,299,550.88 to include this CAP Modification.

The effective date will be August 18, 2008 which is the same as that on the original approved EFS. **Costs requested in reimbursement applications (eRAPs) for this EFS should be formatted with Task and Labor Codes (TLC) equivalent to approved TLCs listed in the EFS. Quantities or rates in these eRAP TLC costs in excess of those approved in this EFS or not included on this EFS will not be eligible for reimbursement without pre-approval of a subsequent CAP Modification.**

Timely implementation of an approved CAP is very important to avoid further impact to the environment and potential increased costs related to the remediation of the site. In accordance with the implementation schedule in the approved CAP Modification, remediation of the site will begin upon receipt of this letter. Requests for reimbursement from the Fund will be subject to a 10% penalty if the CAP is not implemented in accordance with the schedule in the approved CAP, and costs incurred or increased due to failure to implement the approved CAP may be disallowed. Additionally there is a potential for fines of up to \$5,000 per tank per day if the CAP is not implemented on schedule.

Please address correspondence to me, and if you have any questions call me at (303) 318-8542.

Sincerely,



John R. Gould  
Environmental Protection Specialist  
Remediation Section

Attachment: EFS form

cc: Laura Smith, P.E., Remediation Section Manager  
Jason Dowdy, Eagle Environmental, P.O Box 100369, Denver, CO 80250  
Zach Margolis, Utility Manager, Town of Silverthorne, PO Box 1309,  
Silverthorne, CO 80498  
Sharon Martin, Bank of the West, 264 Adams Ave., Silverthorne, CO 80498  
Bud Nicholson, Old Dillon Inn, 321 Blue River Parkway, Silverthorne, CO 80498

BILL RITTER, JR.  
Governor

DONALD J. MARES  
Executive Director

MAHESH ALBUQUERQUE  
Director of Oil and Public  
Safety



## DEPARTMENT OF LABOR AND EMPLOYMENT

Division of Oil and Public Safety  
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633 17<sup>th</sup> Street  
Suite 500  
Denver, Colorado 80202-3610  
(303) 318-8500; Fax (303) 318-8546  
Website: <http://oil.cdle.state.co.us>

May 15, 2009

**VIA CERTIFIED MAIL #7007 0710 0000 3704 8633**

Return Receipt Requested

BUZZ CALKINS  
BRADLEY PETROLEUM  
7268 SOUTH TUCSON WAY  
ENGLEWOOD CO 80112-3920

Re: Approval of Corrective Action Plan (CAP) for Sav O Mat, Inc., 299 Blue River Pkwy, Silverthorne, Summit County, Colorado. (Event ID 9909)

Dear Mr. Calkins:

The Division of Oil and Public Safety (OPS) has reviewed the CAP including the Economic Feasibility Summary (EFS) forms received October 17, 2008 and finalized on May 14, 2009. The OPS hereby approves this CAP which includes the following activities:

- Performing an air sparging (AS) pilot test (completed), plus a soil vapor extraction (SVE) and combined SVE/AS pilot tests (to be completed);
- Installation of one nested AS well and one SVE well between monitoring wells MW-6 and MW-10 to complete the pilot testing;
- Following completion of all pilot testing, designing an appropriate onsite SVE/AS remedial system;
- Installation of up to ten additional groundwater monitoring wells to define the extent of groundwater contamination (see attached figure with well locations);
- Performing up to twenty-three quarters of groundwater monitoring (three of which have been completed) and reporting from the third quarter of 2008 through the 1<sup>st</sup> quarter of the year 2014. In addition to the ten monitoring wells that are to be installed during the summer of 2009, the following wells will be sampled during each quarterly event: MW-1 through MW-12, MW-14, MW-16 through MW-19, RW-1, and the City of Silverthorne Water District Pumping Well D. All groundwater samples will be analyzed for BTEX, TVPH, and MTBE. In addition, groundwater samples from the following wells will be analyzed for TEPH on a semi-annual schedule: MW-5, MW-6, MW-8, MW-12, MW-14, Pumping Well D, and the new monitoring well to be installed approximately fifty feet east of Pumping Well D.

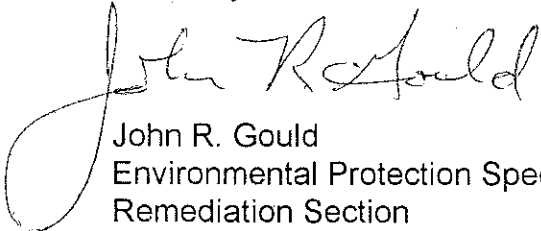
The EFS submitted with this CAP has been approved for \$303,303.02. Following completion of the required pilot testing and remedial system design, a CAP Modification must be prepared and submitted to OPS to cover costs for Phases of Work 3D, 3E, 3F, and 3H.

The effective date of this EFS is August 18, 2008. All future reimbursement requests from the Colorado Petroleum Storage Tank Fund will be evaluated against the approved costs on this EFS for work conducted after the effective date. **Costs requested in reimbursement applications (eRAPs) for this EFS must be formatted with Task and Labor Codes (TLC) equivalent to approved TLCs listed in the EFS. Quantities or rates in these eRAP TLC costs in excess of those approved in this EFS or not included on this EFS may not be eligible for reimbursement without pre-approval of a subsequent CAP Modification. In order to expedite the reimbursement process contact the OPS technical reviewer prior to submitting a reimbursement application that includes costs not included on the approved EFS.**

Timely implementation of an approved CAP is very important to avoid further impact to the environment and potential increased costs related to the remediation of the site. In accordance with the implementation schedule in the approved CAP, remediation of the site will begin on the receipt date of this letter. Requests for reimbursement from the Fund will be subject to a 10% penalty if the CAP is not implemented in accordance with the schedule in the approved CAP, and costs incurred or increased due to failure to implement the approved CAP may be disallowed. Additionally there is a potential for fines of up to \$5,000 per tank per day if the CAP is not implemented on schedule.

Please address correspondence to me, and if you have any questions call me at (303) 318-8542.

Sincerely,



John R. Gould  
Environmental Protection Specialist  
Remediation Section

Enclosures: Figure 1 with proposed monitoring well locations  
Revised EFS form

cc: Laura Smith, P.E., Remediation Section Manager  
Jason Dowdy, Eagle Environmental, P.O Box 100369, Denver, CO 80250  
Zach Margolis, Utility Manager, Town of Silverthorne, PO Box 1309,  
Silverthorne, CO 80498  
Sharon Martin, Bank of the West, 264 Adams Ave., Silverthorne, CO 80498  
Bud Nicholson, Old Dillon Inn, 321 Blue River Parkway, Silverthorne, CO 80498

NOTE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT, IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

Project 18633

Sheet 1 of 1



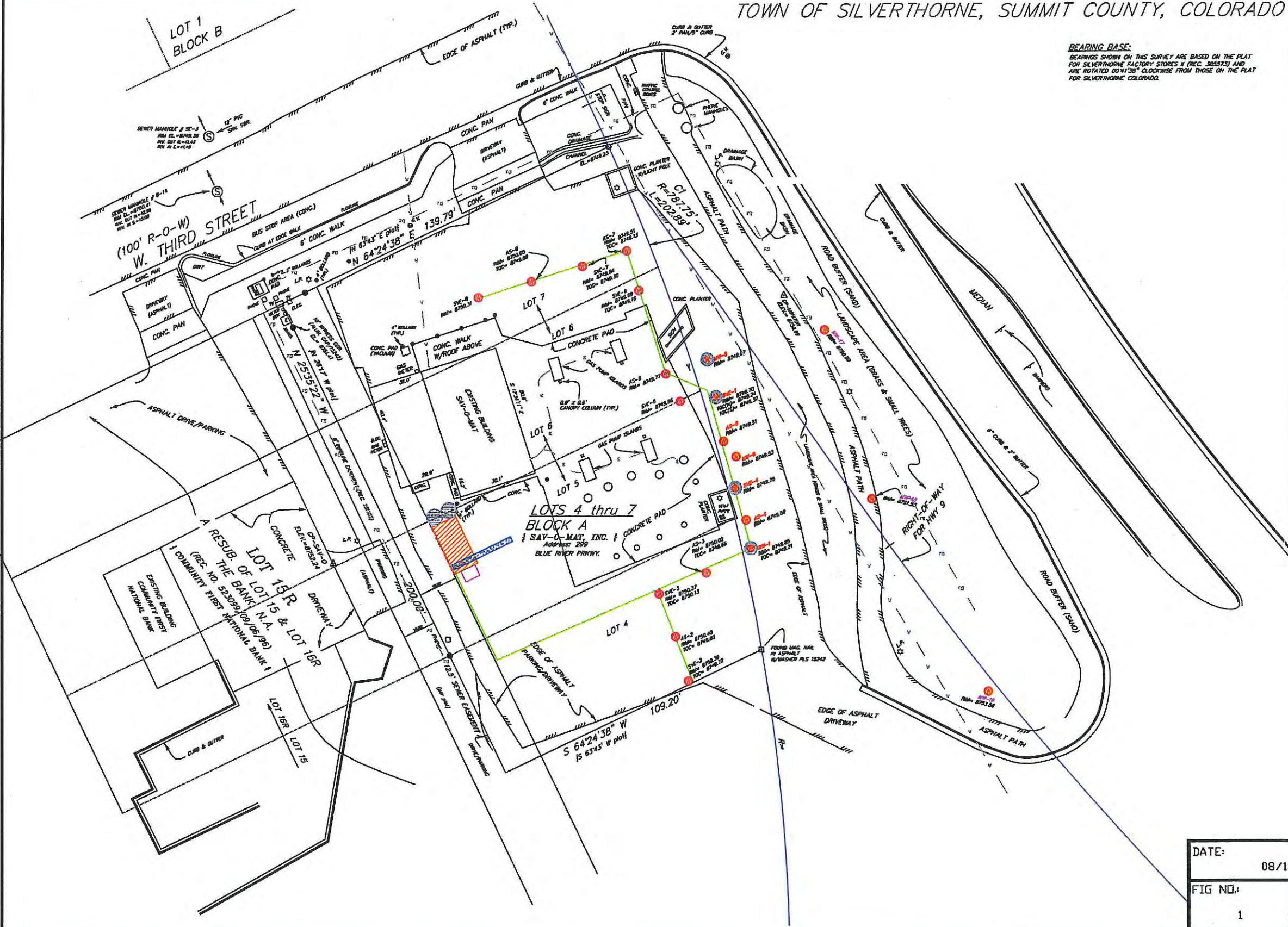
# A MONITOR WELL LOCATION SURVEY OF LOTS 4 thru 7, BLOCK A SILVERTHORNE COLORADO

ACCORDING TO THE PLAT RECORDED 09/21/60 AT REC. NO. 92384

TOWN OF SILVERTHORNE, SUMMIT COUNTY, COLORADO

**BEARING BASE:**

BEARINGS SHOWN ON THIS SURVEY ARE BASED ON THE PLAT FOR SILVERTHORNE FACTORY STORES II (REC. 38532) AND ARE ROTATED 00°11'38" CLOCKWISE FROM THOSE ON THE PLAT FOR SILVERTHORNE COLORADO.

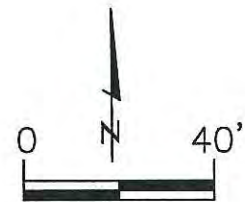


**LEGEND**

- SUREVEYED WELL LOCATION
  - CDOT WELL
  - WELL WITH CONCRETE VAULT LOCATION
  - SYSTEM PIPING LOCATION
  - REMEDIATION SHED (10'x20')
  - REINJECTION GALLERY (4'x25'x12')
  - ABOVE GROUND STORAGE TANK (4'6"x6')
  - VAPOR CARBON ABSORBERS (6'3.5"x7'3")
  - PROPERTY BOUNDARY
- UTILITY LOCATIONS:**
- UNDERGROUND FIBER OPTIC LINE
  - UNDERGROUND WATER LINE
  - UNDERGROUND ELECTRIC LINE

**WELL INSTALLATION DATES:**

- MW-5 INSTALLED 08/08/06
  - MW-6 INSTALLED 08/08/06
  - MW-14 INSTALLED 05/08/08
  - MW-17 INSTALLED 05/09/08
  - MW-18 INSTALLED 05/09/08
  - MW-19 INSTALLED 05/09/08
  - RW-1 INSTALLED 05/09/08
  - SVE-1 INSTALLED 05/29/09
  - SVE-4 INSTALLED 09/09/09
  - AS-5 INSTALLED 09/09/09
  - AS-6 INSTALLED 09/09/09
- 1- INSTALLED PER 10/17/07 CITY OF SILVERTHORNE ACCESS AGREEMENT  
2- INSTALLED PER 05/07/08 COLORADO DEPARTMENT OF TRANSPORTATION ACCESS AGREEMENT



APPROXIMATE SCALE IN FEET

SITE MAP WITH EXISTING WELL AND PROPOSED REMEDIAL SYSTEM PIPING LOCATIONS  
299 BLUE RIVER PARKWAY  
SILVERTHORNE, COLORADO

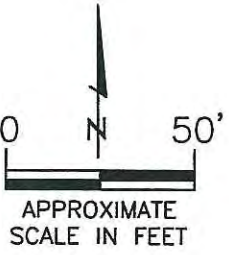
DATE:	08/10/10		<p><b>EAGLE ENVIRONMENTAL CONSULTING, INC.</b></p>
FIG NO.:	1	DRAWN BY:	





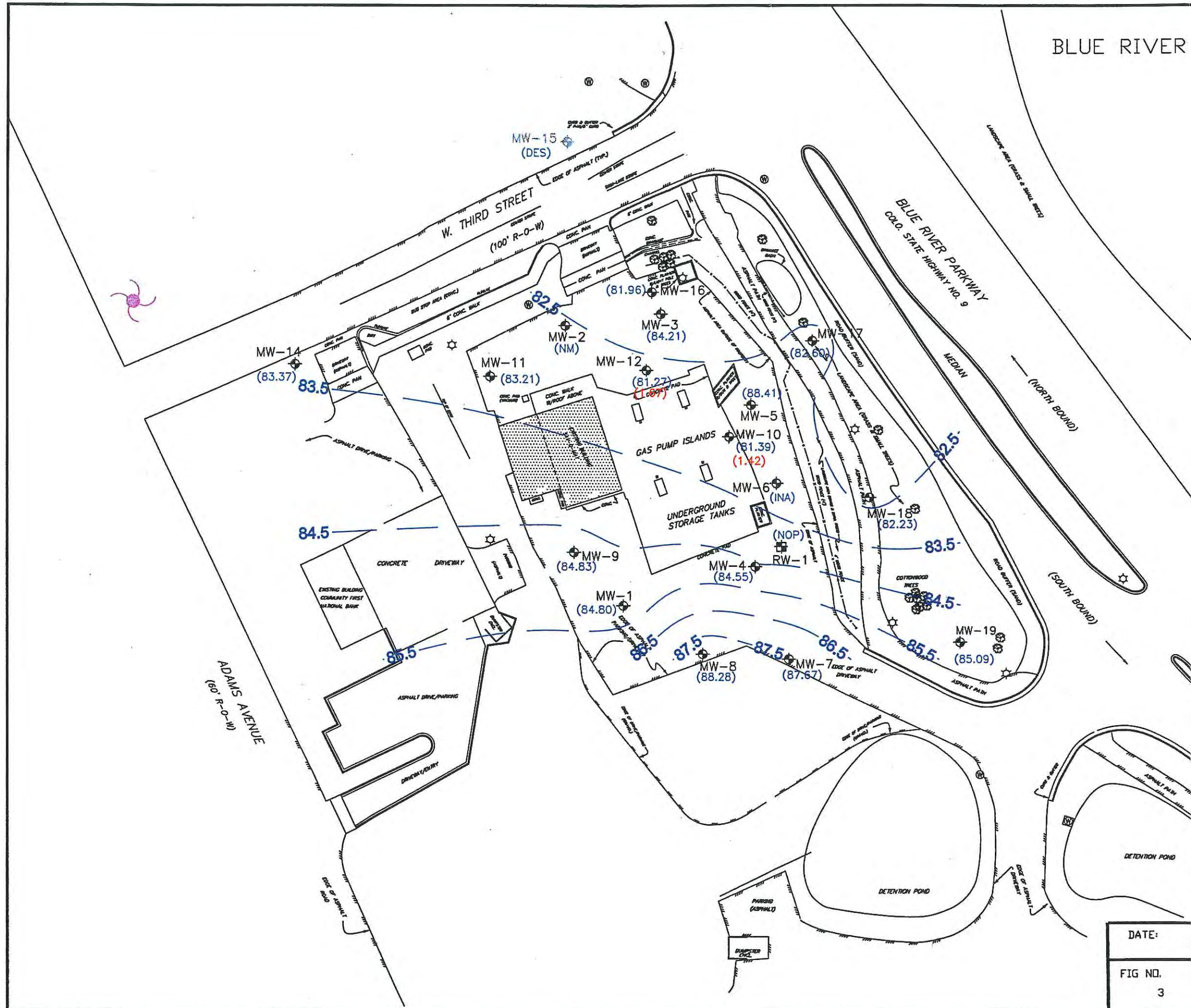
- LEGEND**
- ⊕ MONITORING WELL LOCATION
  - ⊙ WATER VALVE
  - ⊙ SEWER MANHOLE
  - ⊕ FIRE HYDRANT
  - ⊠ TRANSFORMER
  - ⊙ LIGHT POLE
  - CONCRETE BOLLARD
  - ⊕ PUMPING WELL D CITY OF SILVERTHORNE (250-300 gallon per minute)
  - ⊕ "T-BOX" VERTICAL/HORIZONTAL SVE TRENCH
  - ⊕ AS LOCATION w/ ~20' ROI
  - ⊕ VERTICAL SVE LOCATION w/ ~40' ROI
  - TRENCH LOCATION
  - ⊠ REMEDIATION SYSTEM ENCLOSURE
  - ROI = RADIUS OF INFLUENCE
  - ⊕ SKIMMER LOCATION
  - ⊕ AS LOCATION PREVIOUSLY INSTALLED
  - ⊕ "T-BOX" VERTICAL/HORIZONTAL SVE TRENCH INSTALLED
  - ⊕ INJECTION TRENCH LOCATION

**PROPOSED AS/SVE REMEDIATION SYSTEM LAYOUT MAP**  
 SAV-0-MAT STORE NO. 14  
 299 BLUE RIVER PARKWAY  
 SILVERTHORNE, COLORADO



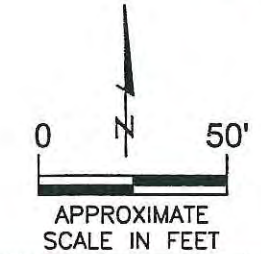
DATE:	08/14/09
FIG NO.	1
DRAWN BY:	jpd





- LEGEND**
- ◆ APPROXIMATE MONITORING WELL LOCATION
  - ⊕ APPROXIMATE RECOVERY WELL LOCATION
  - ⊙ WATER VALVE
  - ⊙ SEWER MANHOLE
  - ⊙ FIRE HYDRANT
  - ⊙ TRANSFORMER
  - ⊙ LIGHT POLE
  - ⊙ PUMPING WELL D - CITY OF SILVERTHORNE (250-300 gallon per minute)
  - (88.97) RELATIVE GROUNDWATER ELEVATION (FEET)
  - (0.32) APPROXIMATE LIQUID PHASE HYDROCARBON THICKNESS (FEET)
  - INFERRED GROUNDWATER ELEVATION CONTOUR (FEET)
  - NM = NOT MEASURED
  - DES = WELL DESTROYED
  - NOP = NOT ON MONITORING PLAN
  - INA = ANACCESSIBLE MONITORING WELL
- NOTE: GROUNDWATER ELEVATION DATA FROM MONITORING WELLS MW-2, MW-3, MW-5, MW-6, MW-10, AND MW-12 WAS NOT UTILIZED WHEN CONSTRUCTING GROUNDWATER ELEVATION CONTOURS.

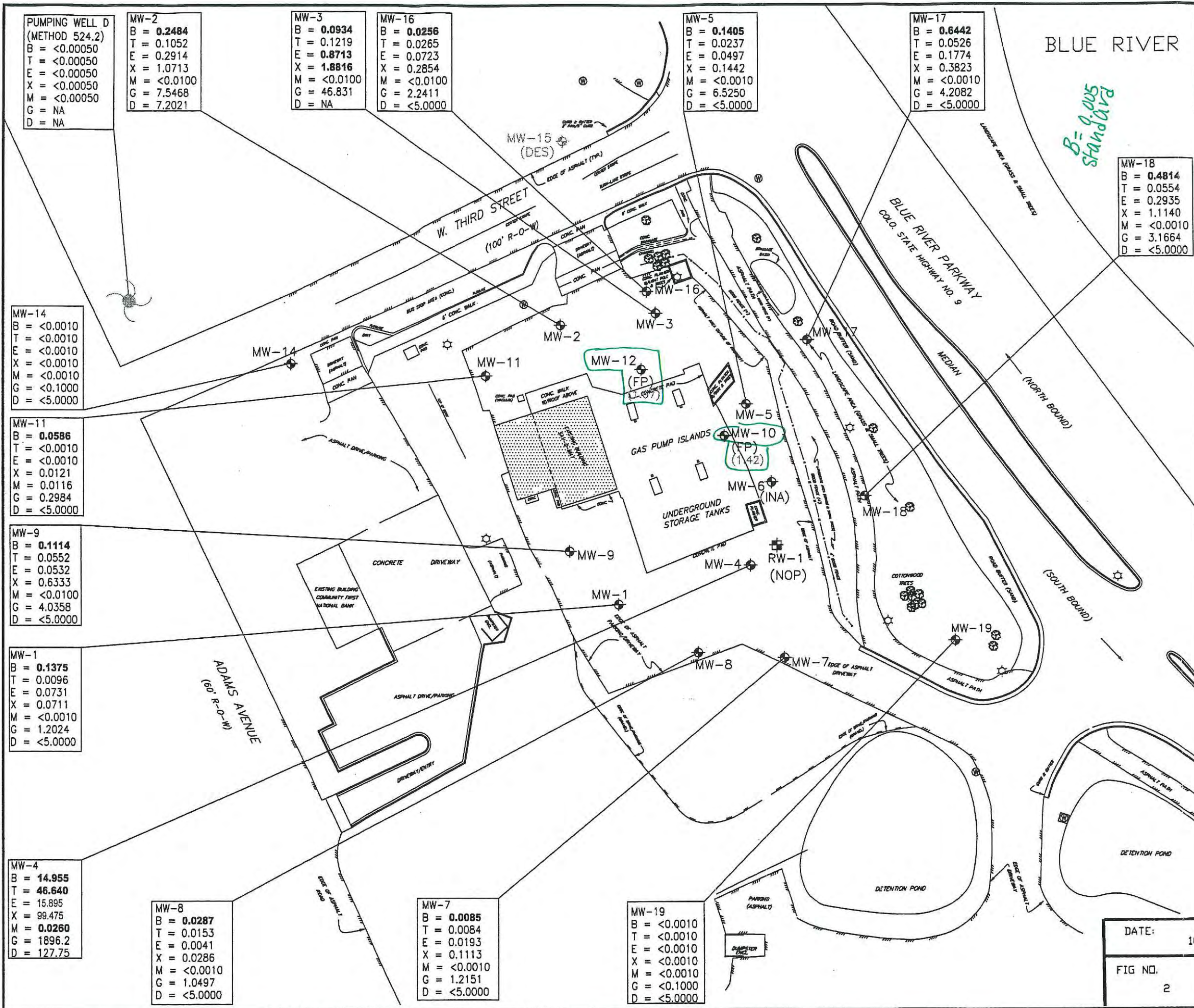
*Groundwater flow northward direction towards the river*



GROUNDWATER ELEVATION MAP  
(09/19/10)  
SAV-O-MAT STORE NO. 14  
299 BLUE RIVER PARKWAY  
SILVERTHORNE, COLORADO

DATE:	10/05/10
FIG NO.	3
DRAWN BY:	Jpd





B = gas standard

FP = gas on top of groundwater