

SILVERTHORNE TOWN COUNCIL
Meeting Minutes
Wednesday, January 27, 2010

CALL TO ORDER/ROLL CALL/APPROVAL OF AGENDA:

Those members present and answering Roll Call were Mayor Dave Koop, Council Members Peggy Long, Kevin McDonald, Vince Lanuza, Rosanne Shaw, Bruce Butler and Ann-Marie Sandquist. Staff members present were Town Manager Kevin Batchelder, Attorney Jerry Dahl, Chief Mark Hanschmidt, Administrative Services Director Donna Braun, Recreation Director Joanne Breigenzer, Public Works Director Bill Linfield, Community Development Director Mark Leidal, Planning Manager Michael Johnson, Assistant to the Town Manager Ryan Hyland and Town Clerk Michele Miller.

STAFF COMMENTS:

Presentation of Certificate of Recognition to Joint Sewer Authority for Outstanding Laboratory Quality Assurance

Koop presented the Certificate of Recognition plaque to the Joint Sewer Authority for Outstanding Laboratory Quality Assurance. Joint Sewer Authority employees Mike Bittner and Matt Smith were present to accept the award. This is the 17th year the JSA has been awarded this prestigious award.

Breigenzer announced the upcoming events at the pavilion.

COUNCIL COMMENTS:

Long reported on the Summit Housing Authority meeting.

CONSENT CALENDAR:

SHAW MOVED TO APPROVE THE CONSENT CALENDAR INCLUDING THE MINUTES FROM MEETING – JANUARY 13, 2010, RESOLUTION 2010-03, APPOINTMENT OF ELECTION JUDGES, RESOLUTION 2010-04, AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH SUMMIT COUNTY CLERK AND RECORDER, AND SPORT COMMITTEE GOALS. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.

CITIZEN COMMENTS:

None

PUBLIC PRESENTATIONS:

None

LIQUOR BOARD:

JJ Chinese Seafood Restaurant – Renewal of Beer & Wine Liquor License

BULTER MOVED TO APPROVE JJ CHINESE SEAFOOD RESTAURANT RENEWAL OF BEER & WINE LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT.

PUBLIC HEARINGS:

None

BOARD OF ADJUSTMENT:

None

ACTION ITEMS:

A. Sketch Site Plan and Sketch Disturbance Permit Application – Angler Mountain Ranch Lakeside Townhomes Phase II, Tract A, B, and C, Angler Mountain Ranch Lakeside Townhomes Filing No. 2

Planning Manager Michael Johnson presented the applicant's request for Sketch Site Plan approval for the Lakeside Townhomes Phase II at Anger Mountain Ranch (AMR). He reviewed his staff memo dated 1-20-10 and requested approval with the Planning Commission's recommended conditions.

Long asked if the applicant's landscaping plan is submitted under the new landscaping code. Johnson stated yes.

Sandquist asked for clarification on the setback.

Johnson reviewed the setback for the property.

McDonald asked for clarification on the fifteen foot between properties.

Tim Crane, Angler Mountain Ranch, gave a brief overview of the upcoming proposed buildings. He reviewed the proposed changes to the project.

Mary Hart, Mary Hart Designs representing the applicant, reviewed the changes to the application. There are two reasons they are requesting changes to the plans, the economy and the grading of the property.

Bobby Crane, Arapahoe Architects representing the applicant, reviewed the three different building designs and architectural features.

Council Questions

McDonald asked how big the current duplexes are.

Crane stated the total for the building is 6000 square feet.

Koop asked about the square footage.

Crane reviewed the square footage and the different duplex layouts.

Council comments

none

LANUZA MOVED TO APPROVE THE SKETCH SITE PLAN AND SKETCH DISTURBANCE PERMIT APPLICATION FOR ANGLER MOUNTAIN RANCH LAKESIDE TOWNHOMES PHASE II, WITH THE PLANNING COMMISSION RECOMMENDED CONDITIONS.

- 1. APPLICANT SHALL ADDRESS, PRIOR TO FINAL SITE PLAN SUBMITTAL, ALL CONDITIONS OF APPROVAL AS ENUMERATED IN THE TOWN ENGINEER'S MEMO DATED JANUARY 11, 2010.**
- 2. A FINAL LANDSCAPING PLAN SHALL BE SUBMITTED MEETING ALL REQUIREMENTS OF TOWN CODE SECTION 4-6-14.**
- 3. APPLICANT SHALL PROVIDED CORRECTIONS AND/OR CLARIFICATIONS TO THE DPA AS DISCUSSED IN THIS STAFF REPORT.**
- 4. A MINOR SUBDIVISION SHALL BE SUBMITTED WITH THE FINAL SITE PLAN, AND THE FINAL PLAT SHALL**

MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT.

B. Angler Mountain Ranch Filling 3 Site Improvements Agreement – Second Amendment

Dahl announced that Council Member McDonald and he have had a conversation regarding the next two agenda items. McDonald had had a necessary ex parte conversation with the applicant as a landowner at Angler Mountain Ranch.

McDonald stated he had an ex parte conversation with the applicant. He is a land owner in the Angler Mountain Ranch. He will excuse himself from participating and the vote on the next two items. He has reviewed the issue with staff.

Councilmember McDonald left the room.

Planning Manager Michael Johnson presented the applicant's request for a Second Amendment to the Site Improvements Agreement (SIA). He reviewed his staff memo and the history of the request. Staff supports an amendment to the SIA which provides for an extension of Filing 3 SIA completion dates to November 1, 2010.

Lanuza asked how the applicant feels about the 1 year extension.

Sandquist asked about Filing 3 & 4, how many units have been built.

Tim Crane, Angler Mountain Ranch, reviewed the paving that has been completed. He read from the 2006 International Fire Code. There are currently 3 building permits. No building permits have been pulled for Filing 2. In filing four there are six units. In total, fifteen total lots have sold. He doesn't feel he should go to the expense of flattening the lots and putting in utilities, at this time. He requested more time based on the number of building permits that have been pulled. He would like to work with staff on the mechanism to determine a new deadline based on permits issued and the market. It is a complex issue. He requested an extension until November 15, 2011.

Sandquist asked how many units Crane had in mind for the trigger.

Crane would like to work with staff on that number.

Lanuza asked for clarification on the Code and whether it means building permits issued or units built.

Crane reviewed the Fire Code.

Dahl suggested approving the proposed SIA with the November 1, 2010 deadline. Staff and the applicant can work on the wording and come back in November if needed.

Butler stated he is sympathetic to the situation. He supports approving what has been presented by staff. Further conversation can take place with staff and the applicant on a type of mechanism that is more reflective of the current market conditions.

Koop stated the Town adopted the 2006 International Fire Code and he would like to stick to it. He appreciates the difficult situation of the applicant. This item can be reviewed by staff and Council at a later date if needed.

Dahl stated staff can continue to work with the applicant.

Sandquist asked for Fire Code clarification on dwellings and sale of lots.

Koop stated the sale of lots is different than dwellings.

Don Kennen, 1508 Legend Lake Circle, expressed his concern being a Angler Mountain Ranch lot owner. He is concerned about the builder having to discount lots to pay for the infrastructure. He has a major investment in his lot and that would affect the amount of money he will spend on the house. Financing is tough in this economy. He requested Council not to set too tough dates for the developer.

Eddy O'Brien, reviewed the Summerwood development and a similar situation. He requested Council consider the number of units being developed as opposed to setting a date.

Dan Pins, Homesite Listing Agent, gave a real estate market prospective over the last few years. He does not see the current market supporting the sale of more than eight homes over the next year. He asked Council to consider the economy when setting a timeframe for the infrastructure.

Council comments

Lanuza asked for clarification on the thirty permits.

Johnston stated it is thirty building permits.

Butler supports the recommendation by staff but hopes there will be a continuing dialog between staff and the applicant.

Lanuza understands the applicant's economic circumstances. He supports the staff recommended motion for approval.

Koop agrees with passing the staff recommended motion.

Long stated staff and Council do the best we can writing the code but sometimes things change.

BUTLER MOVED TO APPRVE THE SECOND AMENDMENT TO SITE IMPROVEMENTS AGREEMENT FOR ANGLER MOUNTAIN RANCH FILING 3 WITH THE STAFF RECOMMENDED CONDITIONS:

1. THAT THE APPLICANT SHALL PROVIDE AN AMENDMENT TO THE FILING 3 LETTER OF CREDIT EXTENDING THE EXPIRATION DATE TO MATHC THE SIA AMENDMENT. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (MCDONALD EXCUSING HIMSELF)

C. Angler Mountain Ranch Filing 4 Site Improvements Agreement Amendment

Planning Manager Michael Johnson presented the applicant's request for a First Amendment to the Site Improvements Agreement for Angler Mountain Ranch Filing 4. He reviewed his staff memo dated 1-20-10 and recommended approval

BULTER MOVED TO APPROVE THE FIRST AMENDMENT TO SITE IMPROVMENTS AGREEMENT FOR ANGLER MOUNTAIN RANCH FILING 4. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL PRESENT. (MCDONALD EXCUSED)

McDonald rejoined the meeting at 7:11.

DISCUSSION ITEMS:

None

EXECUTIVE SESSION:

None

INFORMATIONAL:

- A. EDAC Meeting Minutes – January 19, 2010
- B. Planning Commission Meeting Minutes – January 19, 2010
- C. November 2009 Sales Tax Report

MCDONALD MOVED TO ADJOURN. MOTION SECONDED. MEETING ADJOURNED AT 7:15 P.M.

DAVE KOOP, MAYOR

ATTEST

MICHELE MILLER, TOWN CLERK

Town of Silverthorne Town Council Meeting Minutes

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