

**SILVERTHORNE TOWN COUNCIL
Meeting Minutes
Wednesday, February 27, 2008**

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, Stuart Richardson and Steve Swanson. Rosanne Shaw absent. Staff members present were Town Manager Kevin Batchelder, Attorney Jerry Dahl, Chief Mark Hanschmidt, Recreation Director Tammy Jamieson, Public Works Director Bill Linfield, Community Development Director Mark Leidal, Senior Planner Michael Johnson, Ryan Hyland Assistant to Town Manager, and Town Clerk Michele Karlin.

STAFF COMMENTS:

Jamieson reminded Council of the Blue River Trail Design unveiling tomorrow night at the Pavilion between 5:00-7:00 pm.

Dahl requested item XIII be deleted and Council to adjourn immediately after the Executive Session.

COUNCIL COMMENTS:

Long has received calls from business owners requesting landlords remove the extra water from their sites. Since this is a Site Plan issue she has directed them to the Community Development Department and Code Enforcement. There are safety issues with the standing water. She updated Council on the Summit Housing Authority meeting.

Greg Isaacson – Lake Dillon 2007 Volunteer Fire fighter of the year.

Mayor Koop read a statement of appreciation and thanks to Greg for his dedication to the Town of Silverthorne and Lake Dillon Fire Department.

CONSENT CALENDAR:

THE CONSENT CALENDAR INCLUDING THE MINUTES FROM MEETING MINUTES – FEBRUARY 13, 2008, RESOLUTION 2008-06 BID AWARD FOR THE SILVERTHORNE/DILLON JSA THICKENER IMPROVEMENT PROJECT, AND REPLAT - FOX VALLEY RANCH LOT 20, FOX VALLEY RANCH SUBDIVISION WAS PASSED UNANIMOUSLY BY THOSE PRESENT. (SHAW ABSENT)

CITIZEN COMMENTS:

Steven Wright, 1860 Peregrine, expressed concerns regarding the proposed re-zoning of highway 9 portal area. He was disappointed in the lack of information disseminated at the Comprehensive Plan public meeting. When talking about a rezoning or redevelopment of this magnitude there needs to be more than a two slide power point presentation, and a nine minute presentation. There was no group discussion, only individual comments were encouraged.

He also expressed his concerns on recent conduct of police department employees. He congratulated Chief Hanschmidt but believes he must repair the relationships between the community and his department. He intends on speaking privately with Chief Hanschmidt. His comments do not reflect the entire department, only a few.

Koop stated the Comprehensive Plan meeting was preliminary for informational purposes only there are no projects on board at this time. It was an effort to get information out to the public. He encouraged Mr. Wright to contact individual staff members because they will be able to

assist with specifics. Details can be obtained from the Community Development Department. The Comprehensive Plan is a document that is reviewed from time to time as times change. The document is reviewed in pieces with a broad brush and fine tuning occurs at a later date. The meeting at the Pavilion was a first step in the process to gather information.

Liedal thanked Wright for attending the meeting and for his comments. He invited him to visit with him in the Community Development Department any time.

Long stated there will be a series of public hearings before Planning Commission and Town Council meetings and she encouraged Wright to attend.

PUBLIC PRESENTATIONS:

None

LIQUOR BOARD:

Murphy's Tavern, Inc. dba Murphy's Food & Spirits – Transfer of H & R Liquor

License

Chief Hanschmidt stated there were concerns but Mr. Murphy was happy to sit down with the Police Department and review the issues. He was very receptive to suggestions made by the Police Department.

Public hearing opened, no comments

SWANSON MOVED TO APPROVE MURPHY'S TAVERN, INC. DBA MURPHY'S FOOD AND SPIRITS – TRANSFER OF HOTEL & RESTAURANT LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY COUNCIL PRESENT. (SHAW ABSENT)

PUBLIC HEARINGS:

None

BOARD OF ADJUSTMENT:

None

ACTION ITEMS:

A. Sketch Plan - Blue River Crossing, 421 Rainbow Drive, Lot 8R, Riverview Subdivision, Filing No.2

Dahl informed Council of a discussion he had with Swanson to discuss a possible conflict of interest. He reviewed the Home Rule Charter's 3.9 rules regarding financial gain and conflicts of interest. Councilman Swanson works for Neils Lunceford landscaping, which did the landscaping design on this project. He does not stand to gain financially on this project there was no interest direct or indirect, therefore there is not conflict and he is entitled to participate.

Michael Johnson, Senior Planner, presented the project. The applicant, Greenwald Group, is requesting approval for Sketch Plan for the Blue River Crossing Site Plan. Johnson reviewed his staff memo dated 2-20-08 and recommended denial. Johnson reported the Planning Commission approved the project with conditions

Lanuzza asked if this is almost the same project presented last time. Council approved the project at last submittal. What is materially different this time?

Johnson stated yes it is basically the same project at Sketch Plan and staff's recommendation for denial is based on the Town Code and Comprehensive Plan, same as last submittal.

McDonald asked the Council's review of the project is not to compare it to the original submittal, just its conformance to the Town Code and Comprehensive Plan.

Johnson stated yes.

Richardson asked for uses that would impact changes in the parking.

Johnson reviewed the parking requirement calculations for commercial and residential.

Jerry Miller, Greenwald Group/Applicant. briefly reviewed the past project and current changes.

Michael Houx, Baker, Hogan and Houx, representing the applicant, reviewed the changes in the project application. He addressed Planning Commission's parking concerns regarding the change from residential to commercial.

Council questions

Long asked about the potential restaurant space; it seems very small.

Houx stated they are envisioning a coffee shop in that space.

Long asked about the residential units, will they be short term rentals?

Houx stated it will be condominiums.

Council Comments.

Long agrees with town staff in its recommendation of denial, this project diminishes our Town Code. After sitting in on EDAC meetings, it has always been thought that there needs to be commercial on the ground floor along the river to create vibrancy for the area. A coffee shop will not be a big draw and the project needs more commercial. The residential units will only be skier hot beds and be used by weekend visitors. They would not be participating in the community. Without the commercial the shared parking is off the books. She doesn't want to use Town funds if there is no commercial only residential. There needs to be commercial at this location.

Lanzua stated this feels like a catch 22 with the commercial and residential. We would like to have commercial on the bottom floor and residential does not bring revenue to the Town. Economics don't support the construction of commercial at this time. He approved the residential and commercial mix and the parking the first time so he does not feel he can change his mind. He approves the project at sketch plan.

Richardson has problems with the residential/commercial mix. If the units are in private hands he does not see the units changing to commercial. The property owners should maintain control of the units and eventually try to work them into commercial. We don't want to lose the option of retail/commercial at this location.

McDonald voted yes on the project last time and this is a better project. The interior parking is innovative and opens the view corridor. His preference would be to have all commercial at this location. Residential units won't turn into commercial until the market demands it. Prefers to see the project go; it is innovative, fits the site and will add some vitality to the area. He is not concerned about the length of stay of the unit owners it will add people to that core area.

Swanson was opposed to the previous submittal's building height and parking. Parking is a moving target, different solutions can be considered. The PUD has already been approved. The Town is moving forward on the parking study and he would like to hear the results of that and long term parking needs. Sketch plan is to review the land use. The mixed use concept is very important to the codes we have on the books today. The market is geared more towards residential at this point. The live work units are a concept because there are no codes to support them. This proposal has even more residential units than before. We may never see commercial at this location and we won't be able to change it. This is setting precedence along the river front. If we make changes to the mixed use along the river, property owners need to be involved with those changes. He feels this should be a true mixed use development. We won't be able to obtain the goals set for this area.

Koop appreciates the scaled down project it, fits the site much better. He is concerned with commercial/residential mix. This is the commercial core of Silverthorne. We have to keep the commercial in the core because that is the engine that runs the Town. We cannot afford to be

a bedroom community. It is always tough being the first project out of the box. The Town cannot be sold short and we need a balance of commercial and residential. The commercial core and mixed use needs a strong commercial presence to make it work in the areas that have been designated.

MCDONALD MOVED TO APPROVE THE OF THE BLUE RIVER SKETCH SITE PLAN WITH THE PLANNING COMMISSION RECOMMENDED CONDITIONS.

- 1. PARKING SPACES SHALL BE PROVIDED IN ACCORDANCE WITH THE TOWN CODE.**
- 2. THE PROPERTY SHALL BE RESUBDIVIDED TO REFLECT THE DEDICATION OF THE TOWN PUMP HOUSE PROPERTY AND ASSOCIATED ACCESS EASEMENT.**
- 3. THE APPLICANT SHALL ADDRESS THE CONCERNS LISTED IN THE TOWN ENGINEER'S MEMORANDUM OF FEBRUARY 3, 2008.**

MOTION SECONDED. MOTION PASSED. (LONG AND SWANSON NAY) (MCDONALD, RICHARDSON, AND LANUZA AYE) SHAW ABSENT.

B. Strategic Workforce Housing Document - Proposal for Services, RRC Associates . 77

Kevin Batchelder, Town Manager, presented the proposal for services from RRC Associates for Council's consideration. The agreement would assist in the completion of a specific housing strategy. He requested approval.

McDonald asked about the four work sessions and what that would entail.

Batchelder reviewed the process of refining the county wide needs assessment study to be Silverthorne specific. We would go through a facilitated process that would best define our priorities and goals for implementation of housing in Silverthorne.

LANUZA MOVED TO AUTHORIZE THE TOWN MANAGER TO SIGN A CONTRACT WITH RRC ASSOCIATES FOR A STRATEGIC WORKFORCE HOUSING DOCUMENT. MOTION SECONDED. MOTION PASSED BY COUNCIL PRESENTED. SHAW ABSENT

DISCUSSION ITEMS:

None

LONG MOVED AT 7:04 TO GO INTO EXECUTIVE SESSION WITH THE TOWN ATTORNEY, TOWN MANAGER AND APPROPRIATE STAFF UNDER CHARTER SECTION 4.13 (c) AND SECTION 24-6-402 (b) & (e), C.R.S., SPECIFICALLY FOR LEGAL ADVICE AND INSTRUCTING NEGOTIATORS CONCERNING REAL PROPERTY DEVELOPMENT AND CONTINGENT PURCHASE AGREEMENT

SHE FURTHER MOVED TO ADJOURN THE COUNCIL MEETING AT THE CONCLUSION OF THE EXECUTIVE SESSION. MOTION SECONDED. MOTION SECONDED. MOTION PASSED UNANIMOUSLY COUNCIL PRESENT. (SHAW ABSENT)

EXECUTIVE SESSION:

Under Charter 4.13.c and CRS Section 24-6-402, (4)(b) and (e), specifically, Conference with the Town Attorney and Appropriate Staff for Legal Advice on and Instructing Negotiators concerning Real Property Development and Contingent Purchase Agreement

EXECUTIVE SESSION AND MEETING ADJOURNED AT 7:54 P.M.

DAVE KOOP, MAYOR

ATTEST

MICHELE KARLIN, 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.