

**SILVERTHORNE TOWN COUNCIL**  
**Meeting Minutes**  
**Wednesday, August 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, 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 Interim Director Joanne Breigenzer, Public Works Director Bill Linfield, Community Development Director Mark Leidal, Planner II Susan Miller, Senior Planner Michael Johnson, Ryan Hyland Assistant to Town Manager, and Town Clerk Michele Karlin.

Long requested Council pull Public Hearing item B. Resolution Amending the Silverthorne Comprehensive Plan and Action Items C & D. Ordinance 2008-10 Amending the Town Code, Chapter 4, Article IV, Concerning Parking Standards and Ordinance 2008-11 Amending Silverthorne Town Code Chapter 4, Concerning District Design Standards.  
Council agreed.

**STAFF COMMENTS:**

Linfield passed out information Council requested on the beautiful wildflowers planted by 7-11. He invited Council to the retirement party for Gene Emore in the Schmidt Room August 28<sup>th</sup> at 4:00 p.m.

Breigenzer updated Council on the upcoming events at the Pavilion. The Recreation Center annual maintenance shut down is September 2-13<sup>th</sup>. Silverthorne passes will be honored at the Breckenridge Recreation Center during this time.

**COUNCIL COMMENTS:**

Long reported on the Summit Combined Housing Authority meeting.

**CONSENT CALENDAR:**

Butler informed Council of a possible conflict of interest. His wife serves on the Community Garden Board.

Dahl reviewed Home Rule Charter 3.9, Council determines whether Butler remains or not by Council motion.

**LONG MOVED TO FIND THAT COUNCIL MEMBER BUTLER DID NOT HAVE A CONFLICT OF INTEREST AND SHOULD NOT RECUSE HIMSELF. MOTION SECONDED. MOTION PASSED BY COUNCIL. (Butler abstained from voting)**

**THE CONSENT CALENDAR INCLUDING THE MINUTES FROM WAS PASSED. SPECIAL MEETING MINUTES – JULY 22, 2008, MEETING MINUTES – AUGUST 13, 2008, RECOMMENDATION TO RESCHEDULE NOVEMBER 11 WORK SESSION, RESOLUTION 2008-24 – A RESOLUTION AWARDED WEBSITE CONTRACT TO VISION INTERNET, RESOLUTION 2008-25 – A RESOLUTION AWARDED ENERGY AUDIT CONTRACT TO EMC ENGINEERS, AGREEMENT BETWEEN THE TOWN OF SILVERTHORNE AND THE SILVERTHORNE GARDEN GROUP, AND SECOND ADDENDUM TO REVENUE RECOVERY GROUP CONTRACT WITH ITEMS D. & E IN THE FORM APPROVED BY THE TOWN ATTORNEY. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**CITIZEN COMMENTS:**

Kenny Farrow, National Repertory Orchestra, informed Council that they were pleased to receive a grant in 2007. They were able to host two events at the Pavilion. They had great attendance because of the additional advertising. He presented Council with a plaque and a note of thanks.

Koop stated it is good to see that the grant worked so well for the organization.

Maggie Bulter, with the Community Garden Group, thanked Council for the grant money. They presented the Council with edible garden goods.

**PUBLIC PRESENTATIONS:**

None

**LIQUOR BOARD:**

**A. Summit County Chamber of Commerce – Special Events Permit 9-11-08 -358 Blue River Parkway**

**SHAW MOVED TO APPROVE THE SPECIAL EVENT PERMIT FOR THE SUMMIT COUNTY CHAMBER OF COMMERCE’S SPECIAL EVENT SEPTEMBER 11, 2008 AT 358 BLUE RIVER PARKWAY. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**B. Fiesta Jalisco Numero Uno LLC dba Fiesta Jalisco – Renewal of H & R Liquor License**

**C. Hearthstone Catering, Inc. dba Hearthstone Catering Renewal of H & R Liquor License**

Long asked if there have been any other issues with Fiesta Jalisco since the violation in January.

Chief stated a recheck was successful two months after the January 19<sup>th</sup> offense.

**BUTLER MOVED TO APPROVE FIESTA JALISCO NUMERO UNO, LLC DBA FIESTA JALISCO AND HEARTHSTONE CATERING, INC. DBA HEARTHSTONE CATERING – RENEWAL OF HOTEL & RESTAURANT LIQUOR LICENSES. MOTION SECONDED. MOTION PASSES UNANIMOUSLY BY COUNCIL.**

**D. Escalante – Three Peaks LP dba Raven Golf Club @ Three Peaks - Transfer of Hotel & Restaurant Liquor License**

Shaw asked about the six optional premises.

Elcio Silva, Partner, stated that staff has counted six separate land pieces of golf course not contiguous with the clubhouse. Each non contiguous piece of land has an additional fee of \$100.00.

**LANUZA MOVED TO APPROVE ESCALANTE – THREE PEAKS LP DBA RAVEN GOLF CLUB @ THREE PEAKS – TRANSFER OF HOTEL & RESTAURANT LIQUOR LICENSE WITH OPTIONAL PREMISE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**Public Hearing**

**E. Chyang Kipa Sherpa dba Asian Oven – New Hotel & Restaurant Liquor License**

Koop opened the Public Hearing

Greg Deitl, landlord for applicant introduced Ms. Chyang Sherpa. He will assist her with some of the questions since Ms. Chyang has some difficulty with English.

Council asked Ms. Sherpa what type of food would be served at this location. Chyang Sherpa stated Cantonese, Mongolian, and Tibetan.

Dahl asked Ms. Sherpa a series of questions.

Have you operated a liquor licensed restaurant before?

Chyang stated yes in Glenwood Springs.

Have you ever had any liquor code violations?

Chyang stated no.

Will all of your employees be TIPS certified?

Chyang stated yes.

Dietl stated she understands that they have 60 days from issuance of the license or hire date of new employee.

Are you familiar with other liquor outlets in Silverthorne?

Chyang stated no.

Do you believe there is a need and desire for a liquor license at this location?

Chyang Yes.

Is there anything else you would like to add?

Chyang stated no.

Public hearing closed.

Lanuza stated there is a need for a restaurant at this location.

Butler is supportive of the application.

**SHAW MOVED TO APPROVE CHYANG SHERPA DBA ASIAN OVEN'S NEW APPLICATION FOR HOTEL AND RESTAURANT LIQUOR LICENSE. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**PUBLIC HEARINGS:**

**A. Ordinance 2008 - 8 – An Ordinance Amending the Town Code, Chapter 4, Article VI, Concerning Lighting Standards - Second Reading**

Planner II Susan M. Lee, presented Ordinance 2008-08 on second reading for Council's consideration. She reviewed her report memo dated 8-20-08 and requested approval.

Sandquist feels this is a good compromise. In the current economic times this makes sense.

Council agreed.

**BUTLER MOVED TO APPROVE ORDINANCE NO. 2008-08 AN ORDINANCE AMENDING CHAPTER 4, ARTICLE IV, SECTION 4-6-16(i), CONCERNING LIGHTING STANDARDS ON SECOND READING. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**B. Resolution 2008-26 – A Resolution Amending the Silverthorne Comprehensive Plan  
PULLED**

**BOARD OF ADJUSTMENT:**

None

**ACTION ITEMS:**

**A. Sketch Plan – Red Peak Village PUD – an Unsubdivided Parcel of Land Located in Portions of Section 1 and Section 2, T5S, R78W of the 6<sup>th</sup> PM, County of Summit, State of Colorado**

Planning Manager Michael Johnson presented the applicant's request for sketch plan review of the Red Peak Village PUD. He reviewed his staff reported and requested approval with the Planning Commission's conditions.

Butler asked if a Wildlife Study is usually required. Who conducts them and how long does it take.

Johnson stated the Town does require them on larger projects or if it is perceived to be an issue. Long asked since there is proposed 60% lot coverage, would there be more common area for the residents.

Johnson stated there are common greens for the residents.

Long asked about the private open space.

Johnson stated it is private with public access.

Tim Crane, Applicant/Owner, Red Peak Village, reviewed the project application. The vicinity map shows this is a good location for this type of project. The wildlife mapping was a request from the public meeting they conducted.

Mary Hart, Land Planner, reviewed the particulars of the application, specifically addressed the different wetland areas. She reviewed the different planning areas, daycare, residential core, open space 17.4 acres, and road circulation. She reviewed the density chart, mixed housing uses, and alleys.

Bobby Craig, Arapahoe Architects, reviewed the conceptual building plans.

Butler expressed concern about the lack of sun exposure for some of the buildings.

Sandquist asked about the tandem parking.

Crane stated it is only a concept to allow for flexibility if needed.

Lanuzza asked what the Town's issue with tandem parking is and what has it been in the past.

Johnson reviewed the past issues with tandem parking.

McDonald asked about the expansion of Adams and obtaining the easement.

Liedal stated that is spelled out in the land agreement, how that is obtained.

Long asked if there are any plans for guest parking.

Craig reviewed the guest parking throughout the development.

Long asked about garages will they be an add item for the home after it is built?

Crane stated they are working off of the affordability worksheet from the Summit Housing Authority. It is thought that some citizens will be able to buy a house but not be able to afford a garage right away but can build it later when they can.

Long asked about square footage for a garage.

Crane stated they have asked for 60% lot coverage to include the potential garage.

Lanuzza asked how the development will look with some homes with a garage and some without.

Crane reviewed the different looks for the proposed lots.

Long asked about the size of the garages and the turning radiuses for larger vehicles.

Crane stated 22x22 is standard for garages.

#### Citizens Comments

Helen Barker, 154 Hillside Drive, has a passion and interest for energy conservation. She proposed that the developer and Council consider bringing in solar features to the development; don't build something from fifty years ago. Build a community that is looking towards the future not the past. Use the technologies that we have today. The ongoing cost of energy usage is something to consider. Go above and beyond and purchase the most energy efficient appliances. Let's go green, look at insulation, windows and other materials. . She feels more multi family housing should be looked at for affordability. Why do single family housing when multi family makes more sense. Suggested to the developer a physical model would be helpful. She is glad to see the trees being saved. She suggested a different location

for the daycare facility. Why do accessory apartments in the single family units. Utilize technology and maybe not so much density.

Council Comments

Lanuzza feels it is important for the Town to be involved in the architectural standards.

McDonald stated this property has been looked at for years. Something that has not been done in Summit County is focusing the density in a condensed area. When the commercial is developed the residents will not have to jump in the car to reach amenities, and that saves a lot of gas. This Sketch Plan addresses affordable housing that has been an issue for a long time. He does not support the tandem parking. He is positive about the development.

Bulter is sensitive to the economics of this project. The Town has building standards and the development will be built to the energy code. We need the maximum amount of affordable housing possible. He is willing to be open minded to parking concepts. He is supportive of the project and appreciates the effort.

Long supports this concept of affordable housing for this site. She is looking forward to diversity in the building design and the project coming together. She has been a property manager and tandem parking can be a nightmare. She likes the project concept and it has merit. She likes the daycare site where it is located because it can create a real sense of community. The project is going in the right direction and she supports it.

Shaw feels there is a problem with four-plex multi family units, because of the additional costs of sprinkling the building. She agrees with Helen about the orientation of the buildings. She would like to see this development be a community of the future.

Sandquist agrees with other comments. She is in support of this project. There is a need for single family homes. She would like to see them as energy efficiency as possible but keep it affordable. She wants to see good architectural features in this development. It will be a challenge for the developer.

Lanuzza stated the Building code addresses energy efficiency. Everyone would like to see this more green but we need to weigh the cost of building. This needs to be a win-win for the Town, citizens and developer.

Koop is encouraged with the setup of the development, likes the neighborhood scale. Smaller more efficient homes are affordable and fit a niche in Silverthorne. This project is moving in the right direction. He looks forward to seeing the architecture. We need this project to keep the sense of community.

Sandquist supports the accessory apartments proposed in this development.

Bulter stated not everyone needs a house, a kitchenette and bedroom will work for some of our residents.

Lanuzza asked for a visual aid to get a better feel for the development.

Shaw asked if the solar panels could be utilized in the daycare facility.

**LONG MOVED TO APPROVE OF THE RED PEAK VILLAGE PUD SKETCH PLAN WITH THE FOLLOWING PLANNING COMMISSION CONDITIONS:**

- 1. THAT THE PUD GUIDE BE AMENDED TO REQUIRE CORNER LOT SIDE SETBACKS, ADJOINING A PUBLIC STREET, TO BE NO LESS THAN FIVE FEET (5').**
  - 2. THAT THE PUD GUIDE BE AMENDED TO REMOVE ANY PROVISION WHICH COUNTS TANDEM PARKING AS MEETING MINIMUM PARKING REQUIREMENTS.**
  - 3. A WILDLIFE STUDY IS PROVIDED WITH A PRELIMINARY PUD SUBMITTAL.**
- MOTION SECONDED. MOTION PASSES UNANIMOUSLY BY COUNCIL.**

**B. Site Plan Modification – Lot 63, Angler Mountain Ranch Filing No. 1**

Planning Manager Michael Johnson presented the applicant's request for a Site Plan Modification for Lot 63, Angler Mountain Ranch. He reviewed his staff report and requested approval.

Sandquist asked if the easement is temporary.

Johnson stated it is permanent.

Tim Crane, Compass Homes, told Council they are requesting to add a floor but the footprint is the same.

Lanuza asked about garages.

Crane reviewed the garage size.

McDonald stopped by the development and is very impressed with the project and quality.

Long stated it is a very nice development.

**BUTLER MOVED TO APPROVE FOR THE SITE PLAN MODIFICATION FOR LOT 63, ANGLER MOUNTAIN RANCH, FILING NO. 1, WITH THE FOLLOWING STAFF RECOMMENDED CONDITIONS:**

**1. THE APPLICANT SHALL ADDRESS ITEMS 1 THROUGH 3 IN THE ENGINEERING MEMORANDUM DATED AUGUST 12, 2008.**

**MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**C. Ordinance 2008-10 – An Ordinance Amending the Town Code, Chapter 4, Article IV, Concerning Parking Standards – First Reading - PULLED**

**D. Ordinance 2008-11, An Ordinance Amending Silverthorne Town Code Chapter 4, Concerning District Design Standards – First Reading – PULLED**

**DISCUSSION ITEMS:**

none

**LONG MOVED AT 7:46 PM TO GO INTO EXECUTIVE SESSION FOR A CONFERENCE WITH THE TOWN ATTORNEY AND APPROPRIATE STAFF, UNDER CHARTER SECTION 4.13 (c) AND SECTION 24-6-402 (4)(b) and (e), C.R.S., SPECIFICALLY TO TAKE LEGAL ADVICE AND INSTRUCT NEGOTIATORS CONCERNING THE ANNEXATION REQUEST OF THE RED PEAK VILLAGE.**

**SHE FURTHER MOVED TO ADJOURN THE COUNCIL MEETING AT THE CONCLUSION OF EXECUTIVE SESSION. MOTION SECONDED. MOTION PASSED UNANIMOUSLY BY COUNCIL.**

**EXECUTIVE SESSION:**

**Legal Advice and Instructing Negotiators Concerning the Annexation Request of the Red Peak Village under C.R.S. Section 24-6-402 (4) (b+e)**

**INFORMATIONAL:**

- A. Planning Commission Meeting Minutes – August 19, 2008**
- B. June Sales Tax Report**

**EXECUTIVE SESSION CONCLUDED AND MEETING ADJOURNED AT 9:04 P.M.**

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**DAVE KOOP, MAYOR**

**ATTEST**

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**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.