

**TOWN OF SILVERTHORNE, COLORADO  
ORDINANCE NO. 2019-01**

**AN ORDINANCE APPROVING THE FOURTH STREET CROSSING  
PLANNED UNIT DEVELOPMENT (PUD)**

WHEREAS, MW Fourth Street Crossing LLC is the owner or under contract to acquire certain real property subject to an application for the Fourth Street Crossing Planned Unit Development ("PUD") Plan before the Town of Silverthorne (the "Town"); and

WHEREAS, on March 9, 2016, Town Council approved Ordinance 2016-02, an ordinance rezoning certain real property to TC, Town Core Zone District, and establishing the zoning for Lots 1-2, 13R, 14-24, and Tract A, Block B, Silverthorne Colorado Subdivision; and

WHEREAS, on October 24, 2018, Town Council approved the Fourth Street Crossing Preliminary PUD Plan, which describes the development standards for the Lots 1-12, 13R, 14-24, and Tract A, Block B, Silverthorne Colorado Subdivision, finding that the Preliminary PUD met the criteria set forth in Section 4-4-14; and

WHEREAS, on October 24, 2018, Town Council approved the Fourth Street Crossing Preliminary Site Plan, with conditions; and

WHEREAS, on December 21, 2018 MW Fourth Street Crossing LLC submitted an application for a Final Fourth Street Crossing PUD Plan and other associated approvals; and

WHEREAS, Final PUD Plans are subject to the criteria set forth in Section 4-4-14(g) of the Silverthorne Town Code; and

WHEREAS, on March 5, 2019, after a properly noticed public hearing and consideration of the application and other information received, the Town's Planning Commission recommended approval of the Fourth Street Crossing Final PUD Plan, Final Site Plan, and Commercial Subdivision; and

WHEREAS, on March 13, 2019 and April 10, 2019, the Town Council held properly-noticed public hearings on the Fourth Street Crossing Final PUD Plan; and,

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SILVERTHORNE, COLORADO:

**Section 1. Findings**

The Town Council, having reviewed the application for the Fourth Street Crossing Final PUD Plan, all information and documentation provided, the comments of Town staff, the applicant and the public, and having considered the criteria set forth in Section 4-4-14(g)(3) of the Silverthorne Town Code, makes the following findings:

- a. The Fourth Street Crossing PUD Plan is consistent with the Town's 2014 Comprehensive Plan.
- b. The Fourth Street Crossing PUD Plan is consistent with the applicable sections of Chapter 4 of the Silverthorne Town Code.

**Section 2. Approval**

Based on the foregoing findings, the Town Council hereby approves the Fourth Street Crossing Final PUD.

**Section 3. Safety Clause**

The adoption of this Ordinance will promote the health, safety, and general welfare of the Silverthorne community.

**Section 4. Severability**

If any provision of this ordinance or portion thereof is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect any other provision which can be given effect without the invalid portion.

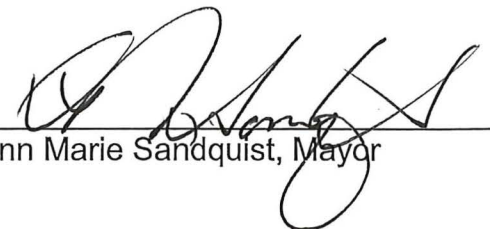
**Section 5. Effective Date**

This ordinance shall be effective upon adoption at second reading, pursuant to Sections 4.5 and 4.7 of the Silverthorne Home Rule Charter.

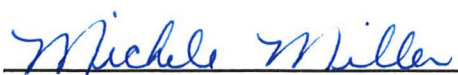
READ, MOVED, AND PASSED ON FIRST READING ON THE 13th DAY OF March, 2019.

MOVED, SECONDED AND FINALLY PASSED ON SECOND AND FINAL READING, ON THE 10th DAY OF April, 2019.

TOWN OF SILVERTHORNE, COLORADO

By:   
Ann Marie Sandquist, Mayor

ATTEST:

By:   
Michele Miller, Town Clerk

Approved on the first reading: 3-13- 2019

Published by title only: 3-22 2019

Approved on the second reading: 4-10 2019

Published by title only: 4-19 2019

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(with amendments, if amended on second reading):                      2019

# APPLICANT / OWNER:

MILLENDER WITHZ  
1255 W. 54th Drive  
Arvada, CO 80002  
303.776.0420  
Owner: Tim Fieding

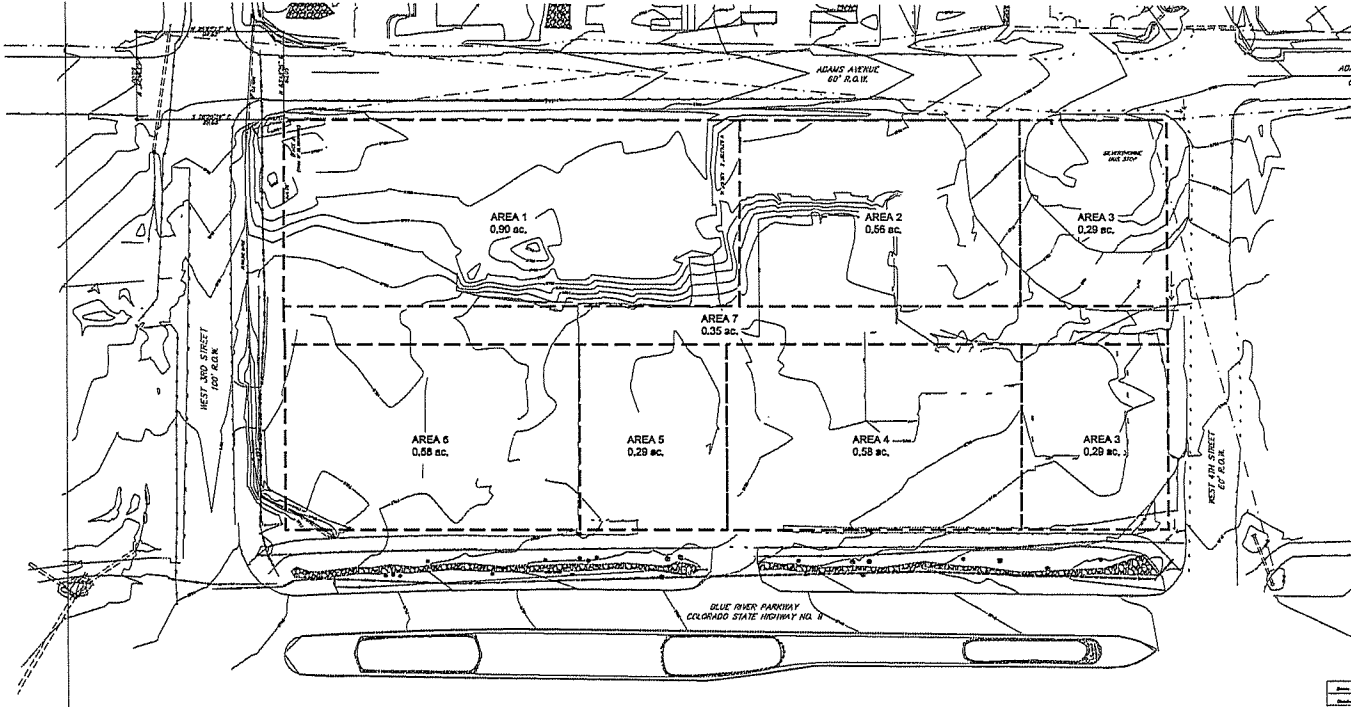
# LAND PLANNER/ARCHITECT:

DTJ DESIGN, Inc.  
3031 146 Avenue, Suite 100  
Boulder, CO 80301  
303-443-7333  
Contact: Tim Campbell, AIA

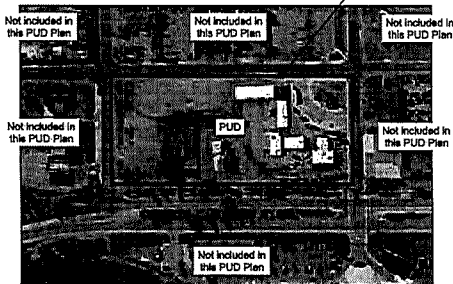
# FOURTH STREET CROSSING PLANNED UNIT DEVELOPMENT TOWN OF SILVERTHORNE, COLORADO

FEBRUARY 21, 2019

AN ALTA/NSPS LAND TITLE SURVEY OF LOT 1-24 BLOCK B  
ACCORDING TO THE PLAT RECORDED 09/21/1960 AT RECEPTION NUMBER 92384  
LOCATED IN THE SW 1/4 SEC. 12, T 5S., R 78 W. OF 6th PM.



# PROJECT SITE



# LAND USE SUMMARY

PLANNING AREA	ACREAGE	MAX. BLDG. HEIGHT	BLDG. SETBACK
PLANNING AREA 1	0.90	45'	0'
PLANNING AREA 2	0.56	45'	0'
PLANNING AREA 3	0.29	45'	0'
PLANNING AREA 4	0.58	55'	0'
PLANNING AREA 5	0.29	45'	0'
PLANNING AREA 6	0.58	45'	0'
PLANNING AREA 7	0.35	45'	0'

MAXIMUM BUILDING HEIGHTS SET FORTH IN THE LAND USE SUMMARY DO NOT APPLY TO NECESSARY MECHANICAL APPURTENANCES AND SCREENING ON THE HOTEL, BUILDING, AND STAIRWELL AND ELEVATOR ENCLOSURES ABOVE THE ROOF LEVEL AT THE HOTEL AND THE MIXED USE BUILDINGS SERVING ROOF TOP DECKS.

# PROJECT CONCEPT

The 3.8 acre property in the block between 3rd and 4th Streets, between HURT 3 and Adams Avenue, the intersection of 4th Street, and HURT 3 is considered the center of Silverthorne's downtown, across the street from shops, the Postbox, and a short distance from the Silverthorne Performing Arts Center. The property is labeled 'catalyst site'.

A proposal for the development of a key parcel in the future of downtown Silverthorne, Colorado, with considerable amenities and resources that have been focused on developing a community-supported vision for downtown Silverthorne that includes dynamic pedestrian-oriented retail activity, such as restaurants, professional services, and potential residential towers. It is rare that an opportunity comes around to develop a property that will truly define or reestablish community identity and character for decades to come, but Silverthorne has just such an opportunity.

# SHEET INDEX:

Sheet 1 of 1: PUD

Supplemental Exhibit 1 of 3: Building Site Features / Ownership  
Supplemental Exhibit 2 of 3: Site Plan  
Supplemental Exhibit 3 of 3: Circulation Diagram

# GENERAL NOTES

Allowed uses per the Town Code, including Use By Right for Multi-family Dwelling Units (townhomes, condominiums), Live/Work units, Parking Facility, Transit Center, General Retail, Food, Pubs, Market Hall, and Alley/Access Drive.

# AREA

# PERMITTED USES

Planning Area 1 Multi-family Dwelling Units (defined per the Town Code as "a dwelling unit located within a building or group of buildings containing three or more dwelling units used for either rental or ownership, or a dwelling unit located within a mixed-use building") are permitted, but not commercially housing a public space.  
Townhome (defined per the Town Code as "one-family dwelling is a row of at least three such units in which each unit has its own entry and rear access to the outside, no unit is located next another unit") are permitted, but not immediately fronting a public street.  
Live/Work Unit (defined as "a single unit consisting of both a commercial/office, and a residential component") are permitted. Permitted use on the ground floor includes general retail, contractor and building trades, professional office and services, health spa, art and entertainment facility, day-care center, day-care home, school, college/trade school, and civic, youth, medical organization. Conditional uses for general floor include commercial retail (wholesale, outside stand/farmers market, retail and television broadcasting, hospital/clinic, and light manufacturing).

Planning Area 2 Parking Facility (defined per the Town Code as "any area or structure which is used primarily or habitually for the parking of automobiles or other motor vehicles when not in use") is permitted.  
Transit Center (including a bus station office and waiting room, bus terminal and garage, public restrooms, bicycle parking/storage) is permitted.

Planning Area 3 Multi-family Dwelling Units are permitted above ground floor.  
General retail (defined per the Town Code as "a commercial enterprise designed in whole or in part to the sale, rental or servicing of goods for consumer or household use; Restaurant, Cafe, Store, Popcorn/Office/Store (defined per the Town Code as "establishments engaged in providing or selling professional and professional skills and/or personal services"), and Art and Entertainment Facility (defined per the Town Code as an "establishment engaged in the presentation or appreciation of the fine arts and/or an establishment that provides space or equipment used for the entertainment of persons") are permitted on the ground floor and fronting a public street.

Planning Area 4 Hotel (defined per the Town Code as "a building occupied primarily as a transient hotel as the abiding place of individuals who are lodged with or without meals for compensation") is permitted. Third permitted to accommodate additional amenities including a bar, restaurant, and meeting deck.

Planning Area 5 Restaurant (defined per the Town Code as "an establishment where food and drink are prepared, served and consumed primarily within the principal building") and/or bar/night club (defined per the Town Code as "premises used primarily for the sale and dispensing of liquor by the drink for on-site consumption, and where food is available for consumption on the premises as an accessory to the principal use") and "an establishment dispensing liquor and meals and in which music, dancing or entertainment is furnished") is permitted.  
Place (defined as "open space designed for public use") is permitted.

Planning Area 6 Market Hall (defined as "a covered building where buyers and sellers convene for the sale of goods including a Food Hall, Flea Market, Craft Store, Vendor, Specialty, Zone Store") is permitted.

Planning Area 7 Alley/Access Drive (defined per the Town Code as "a right-of-way, dedicated to public use, which gives a secondary means of vehicular access to the rear or side of properties abutting along a street, and which may be used for public utility access") is permitted.

# DENSITY

- 135 Housing Units
- 61 Residential Units

# PARKING REQUIREMENTS

Parking requirements per Town Code and Town Code Standards with the following exceptions:

# USE

# RATIO/QUANTITY

Street Space	1/100
Bar/Speakeasy	1/200
Food Market	1/200
Restaurant/Food hall	1/200
Microbrewery	1/200
Retail Vendor	1/300
Hotel	1 parking space per hotel unit
Residential Uses	2 parking spaces per 2-bedrooms or 3-bedrooms unit / 3 parking spaces per 4-bedrooms unit

\*Refer to Town Code for letter parking requirements for residential sales and parking reduction.

# SNOW REMOVAL

Snow is allowed as it is stored in Town approved and designated locations within the 3rd Street Right-of-Way as an snow impact item of sight or storage to obstruct the flow of vehicular or pedestrian traffic or drainage. Snow stored in such locations will be removed by the property owner, and snow may not be stored in the right-of-way for more than 48 hours. Snow storage is not required for the portions of access drives that are equipped with snowmelt systems.

# DESIGN STANDARDS EXCEPTIONS

Town Code District Design Standards & Guidelines remain in place except for the specific modifications stated in this PUD.

- Building facades facing an alley and parking structure shall be excluded from the 50-foot maximum continuation along the same geometric plane requirement (Standard 4.2.3).
- Up to two Townhome units along Adams Avenue are allowed to be excluded from the commercial ground use requirement.
- Live-work Townhome units count as units of residential density. The ground floor of the Live-work Townhome units is exempted to be utilized for commercial uses, however, a commercial component on the ground floor is not required. Live-work Townhome units are not required to meet commercial standards provided in Standards 4.2.4 and 4.3.4 per the Town Code District Design Standards & Guidelines.
- Townhome units in Right-of-Way is allowed for temporary and reversible elements including signage, awnings, planter boxes, and hanging planters.

# LANDSCAPING EXCEPTIONS & REDUCTIONS

- Landscaping planned in the site and Town right-of-way, in the vicinity of the property, shall meet towards the required landscaping specified in the Town Code.
- Per Town Code Zone District Section 4.4-11(2)(2), up to fifty percent (50%) of the required number of trees and shrubs may be substituted with alternative forms of landscaping and decorative elements, including benches, planters, public art, fountains, sculptures, light fixtures, and planter boxes.

# BUILDING MATERIALS

A combination of natural and natural-looking materials, including brick, wood siding, cementitious siding, stone, concrete block, stone, and manufactured stone may be used for this building. Where applicable, the color and primary material may change per each street type to give the appearance of individual buildings. Also where applicable, there may be concrete panels and metal screening used to create additional architectural interest. The colors used within these building materials will reflect natural colors and colors of the buildings in the Town Code Districts or within the project. The use of STS, grey concrete panel systems, steel siding, and aluminum siding is prohibited.

Sheet 1 of 1

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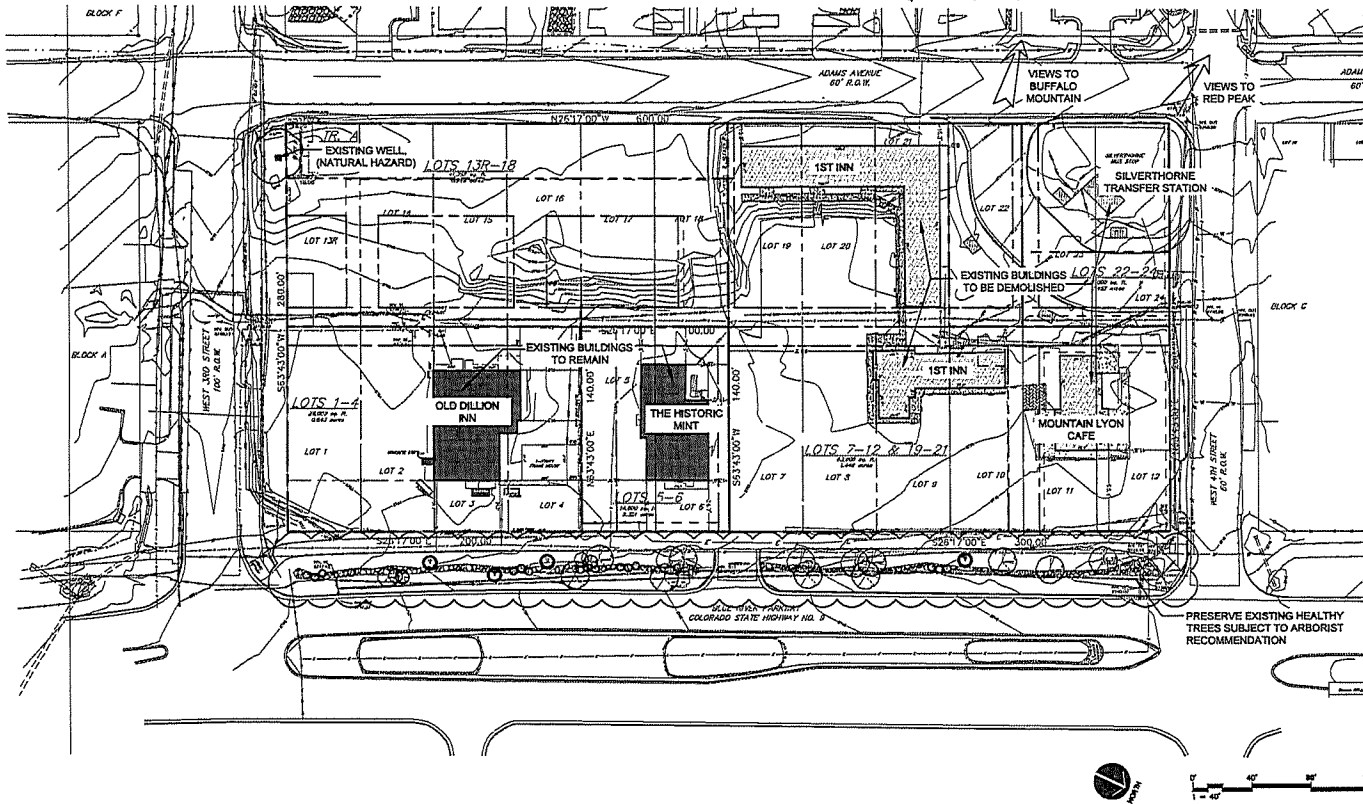


# FOURTH STREET CROSSING TOWN OF SILVERTHORNE, COLORADO

## EXISTING SITE FEATURES / OWNERSHIP

FEBRUARY 21, 2019

AN ALTA/NSPS LAND TITLE SURVEY OF LOT 1-24 BLOCK B  
ACCORDING TO THE PLAT RECORDED 09/21/1960 AT RECEPTION NUMBER 92384  
LOCATED IN THE SW 1/4 SEC. 12, T 5S., R 78 W. OF 6th PM.



### LAYOUT & GRADING LEGEND

--- PROPERTY BOUNDARY  
--- LOT LINES

### OWNERSHIP

OWNER	PROP. DESCRIPTION
ARIZONA FAMILY TRUST DATED 12/30/1980	LOT 1,2,3,4 BLOCK B SILVERTHORNE TOWN SUB
RS& GROUP	LOT 5,6 BLOCK B SILVERTHORNE TOWN SUB
RS& GROUP LLC	LOT 7,8,9,10,11,12,13,14 BLOCK B SILVERTHORNE TOWN SUB
ARIZONA FAMILY TRUST DATED 12/30/1980	LOT 15,16,17,18 BLOCK B SILVERTHORNE TOWN SUB
TOWN OF SILVERTHORNE	LOT 22 BLOCK B SILVERTHORNE TOWN SUB
TOWN OF SILVERTHORNE	LOT 23 BLOCK B SILVERTHORNE TOWN SUB LCA E 55 FT LOT 24 1 ALL LOT 24

Supplemental Exhibit 1 of 3

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# FOURTH STREET CROSSING

## TOWN OF SILVERTHORNE, COLORADO

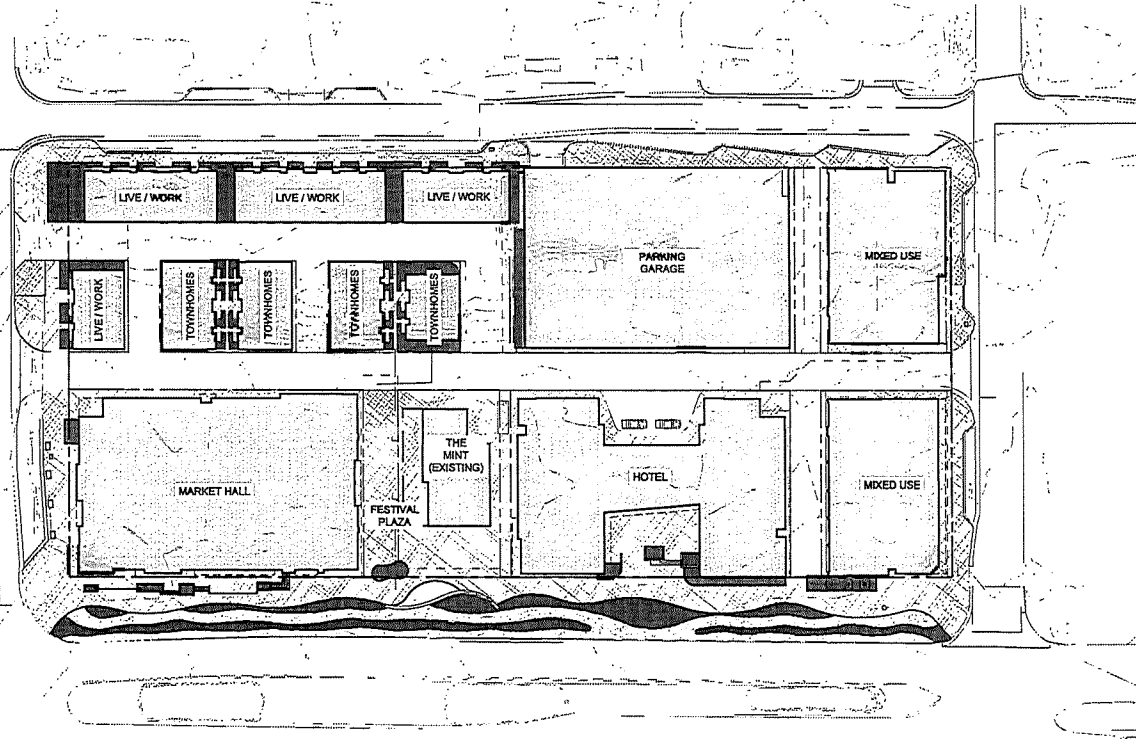
### SITE PLAN

FEBRUARY 21, 2019

AN ALTA/NSPS LAND TITLE SURVEY OF LOT 1-24 BLOCK B  
 ACCORDING TO THE PLAT RECORDED 09/21/1960 AT RECEPTION NUMBER 92384  
 LOCATED IN THE SW  $\frac{1}{4}$  SEC. 12, T 5S., R 78 W. OF 6th PM.

#### LAYOUT & GRADING LEGEND

- PROPERTY BOUNDARY
- LOT LINES
- [Pattern] HARDSCAPE
- [Pattern] SOFTSCAPE
- [Pattern] DECOMPOSED GRANITE



Supplemental Exhibit 2 of 3

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# FOURTH STREET CROSSING TOWN OF SILVERTHORNE, COLORADO

## CIRCULATION DIAGRAM

FEBRUARY 21, 2019

AN ALTA/NSPS LAND TITLE SURVEY OF LOT 1-24 BLOCK B  
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LOCATED IN THE SW  $\frac{1}{4}$  SEC. 12, T 5S., R 78 W. OF 6th PM.

### LAYOUT & GRADING LEGEND

--- PROPERTY BOUNDARY  
--- LOT LINES

### PEDESTRIAN CIRCULATION

Pedestrians are the primary focus of the circulation design for the project. There are three pedestrian environments in the project: gathering spaces and walkable streets.  
**Gathering Spaces** - The design incorporates several pedestrian gathering spaces, including the Festival Plaza and the Transit Station. These spaces will each have a unique character and attraction for the visitor.  
**Walkable Streets** - One of the main goals of the design is to connect and relate to the downtown character of Silverthorne. One way the design creates that feel is through continuing the street grid and providing walkable streets. This inherently creates more conflicts with cars and people, and includes sidewalks, on-street parking, and street elements such as landscaping, street furniture, and street lighting.

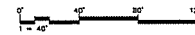
### VEHICULAR CIRCULATION

The project is bordered by West 4th St, the new Main St, and Blue River Parkway, two of the busiest roads in Town. The design takes advantage of these arterials to capture riding cars quickly in parking structures that feed off of the major roads so the interior of the project is only dealing with low speed volume traffic. This gives the interior roadways a great deal of flexibility to feel more like pedestrian dominated environments and to become active pedestrian spaces such as shared streets for street lights. The streets are designed to create a faster Street feel, incorporating narrower widths, special paving, multiple crosswalks, on-street parking, and very low speed limits to keep the vehicle/pedestrian conflicts to a minimum.

### BUS CIRCULATION

This site contains the existing main transit hub for the Town. The master plan design incorporates a total of three bus parking stalls. The Transit Center, which includes a waiting area for transit riders, bicycle parking, and public restrooms, is relocated close to Adams Avenue to reduce the transit/pedestrian conflicts of the current design. Three buses are parking on Adams Ave in a staggered configuration heading north. Once loading they can circulate onto 4th Street and turn left or right depending on the route.

■ Pedestrian Crossing    • Pedestrian Walk    ■■■ Vehicular Traffic - Size of symbol indicates relative amount of vehicle use per roadway



Supplemental Exhibit 3 of 3

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