

**TOWN OF SILT
MINUTES FOR
PLANNING & ZONING COMMISSION MEETING
TUESDAY DECEMBER 6, 2011, 6:30 P.M.**

Call to Order

The Silt Planning Commission held their regularly scheduled meeting on Tuesday, December 6, 2011 in the municipal council chambers. Chair Rinehart called the meeting to order at 6:30 p.m.

Roll Call

Present: Chair Mark Rinehart
 Vice Chair Patricia McClure
 Commissioner Meredith Robinson
 Commissioner Dylan Lewis
 Alternate Commissioner Todd Urban

Not Present: Commissioner Bobby Hays
 Commissioner Bob Shivley

(Note: Alternate Urban was appointed a voting P&Z at this meeting.)

Also present at the meeting were:

Community Development Director Janet Aluise
Recording Secretary Jane Dyke

Pledge of Allegiance

The Pledge of Allegiance was recited at 6:32 p.m.

Conflicts of Interest

There were no stated conflicts of interest.

Consent Agenda

Commissioner Robinson made a motion to approve the Planning and Zoning Commission minutes of the November 1, 2011. Commissioner Urban seconded the motion and the motion carried unanimously.

Agenda Changes

Director Aluise asked to move the Schlein Special Use Permit to the first item on the agenda, as the other items on the agenda were not expected to have public comments (no one in audience).

**SCHLEIN SPECIAL USE PERMIT TO ALLOW A RESIDENCE ABOVE A
COMMERCIAL USE WITHIN AN EXISTING BUILDING IN THE B-2 ZONE
DISTRICT, ALSO KNOWN AS 602 MAIN STREET**

Community Development Director Aluise opened with staff recommendations. She requests that the Commission grant a special use permit to allow a residence above a commercial use within an existing building in the B-2 Zone District.

Public Comments

- Mr. Schlein addressed the Commission by stating that he was concerned about Staff recommendation # 7 regarding the Town placing improvements in the adjacent State Highway 6 right-of-way, that might necessitate the removal of the two Siberian Elms close to his building.
- Ms. Ellison addressed the Commission by stating that she would like the Comprehensive Plan/Code to mention that no overt window decorations should be in upper level apartments above commercial uses in the Downtown, instead of the requirement in the Special Use Permit. She stated that she would like to maintain the commercial “look” of the building within a Town ordinance without it appearing to be a personal preference on anyone’s part.

Commissioner Robinson made a motion recommend to the Board of Trustees approval of the Schlein/Ellison Special Use Permit to allow an apartment in the upper eastern quadrant of the commercial building located at 602 Main Street, per staff’s recommendation, except with respect to Condition # 4 as written here:

- 1) That all statements made by Mr. Schlein and Ms. Ellison both in the application and in meetings before the Planning & Zoning Commission and the Board of Trustees, be considered conditions of approval, unless modified in the following conditions:
- 2) That the Schlein/Ellison Special Use Permit (SUP) be in effect for a period of two (2) years from the date of approval of the SUP by the Board of Trustees if not terminated sooner by the Board of Trustees for cause related to the improper use of the residential unit, failure to maintain the entire building and its property, failure of owner/tenants to pay utility bills owed to Town, or any condition of this Special Use Permit;
- 3) That Mr. Schlein and Ms. Ellison (or their heirs, successors, or assigns), if they wish to continue utilizing the unit for residential purposes, submit a written request to the Board of Trustees, to be considered by the Board of Trustees in a regular meeting, not fewer than twenty (20) days prior to the end date of the SUP. Such written request must state the reason for the SUP extension request. The applicants (or their heirs, successors, or assigns) shall be in good standing with the Town with regards to payment of utility bills and maintenance of the property;
- 4) That the Board of Trustees review the Schlein/Ellison Special Use Permit every two (2) years, beginning on the date of certificate of completion of the apartment, and continuing thereafter until or unless such residential use is discontinued;
- 5) That Mr. Schlein and Ms. Ellison (or their heirs, successors, or assigns) apply for a building permit for improvements, and receive a certificate of completion prior to lease of the unit;

- 6) That the residential unit have no outward appearance of such residential use, either visible from Main Street or from 6th Street;
- 7) That Mr. Schlein and Ms. Ellison (or their heirs, successors, or assigns) agree to Main Street Improvements planned by the Town in the near future, including but not limited to ten (10) foot wide sidewalks, planters, street trees, etc.; &
- 8) That Mr. Schlein and Ms. Ellison pay all fees related to the Town's review of the Schlein/Ellison Special Use Permit, including but not limited to actual public notification costs, copying and printing costs, and administrative fees.

Chair Rinehart seconded the motion and the motion carried unanimously.

AN ORDINANCE AMENDING SECTION 17.44.020 OF THE SILT MUNICIPAL CODE ("CODE") TO ALLOW FOR FLEXIBILITY AT COMMERCIAL SITE PLAN REVIEW AND BUILDING PERMIT REGARDING THE SITING OF A BUILDING ON A LOT WITHIN THE B-2 AND B-3 ZONE DISTRICTS WITHIN THE TOWN OF SILT, COLORADO ("TOWN"), SPECIFICALLY RELATED TO FRONT YARD SETBACKS

Commissioner Lewis made a motion to recommend approval of **AN ORDINANCE AMENDING SECTION 17.44.020 OF THE SILT MUNICIPAL CODE ("CODE") TO ALLOW FOR FLEXIBILITY AT COMMERCIAL SITE PLAN REVIEW AND BUILDING PERMIT REGARDING THE SITING OF A BUILDING ON A LOT WITHIN THE B-2 AND B-3 ZONE DISTRICTS WITHIN THE TOWN OF SILT, COLORADO ("TOWN"), SPECIFICALLY RELATED TO FRONT YARD SETBACKS** to the Board of Trustees. Commissioner Robinson seconded the motion and the motion carried unanimously.

CAMARIO PLANNED UNIT DEVELOPMENT PHASE II ANNEXATION, ZONING & SKETCH/PRELIMINARY PLAN

The Commission agreed to continue the public hearing for the Camario Planned Unit Development Phase II Annexation, Zoning & Sketch/Preliminary Plan to the January 3, 2012 Planning & Zoning Commission meeting.

SILT RIVER PRESERVE ANNEXATION AND PUBLIC UTILITY ZONING

Commissioner Robinson made a motion to recommend to the Board of Trustees approval of the **SILT RIVER PRESERVE ANNEXATION WITH PUBLIC UTILITY ZONING**. Commissioner Lewis seconded the motion and the motion carried unanimously.

AN ORDINANCE AMENDING SECTION 17.13 APPENDIX A AND SECTION 17.41 OF THE SILT MUNICIPAL CODE ("CODE") TO ALLOW ADDITIONAL PERMITTED AND SPECIAL USES WITHIN THE DOWNTOWN MIXED USE OVERLAY ZONE DISTRICT WITHIN THE TOWN OF SILT, COLORADO ("TOWN")

Commissioner Lewis made a motion to recommend to the Board of Trustees approval of **AN ORDINANCE AMENDING SECTION 17.13 APPENDIX A AND SECTION 17.41 OF THE SILT MUNICIPAL CODE ("CODE") TO ALLOW ADDITIONAL PERMITTED AND SPECIAL USES WITHIN THE DOWNTOWN MIXED USE OVERLAY ZONE DISTRICT WITHIN THE TOWN OF SILT, COLORADO ("TOWN")** Commissioner Urban seconded the motion and the motion carried unanimously.

Future Business

The Commission had no future business.

Other Business

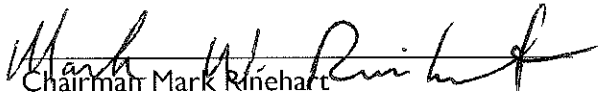
The Commission had no other business.

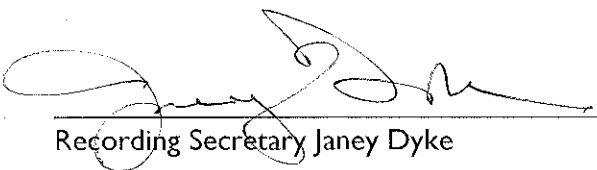
Staff and Commission Comments

Commissioner Robinson inquired about next year's calendar of scheduled meetings. She was under the impression that there would be two P&Z meetings a month. Director Aluise responded that the approved budget allowed for one extra meeting a quarter instead of two monthly meetings.

Community Development Director Aluise mentioned that a meeting packet was provided to Commissioner Hays for this meeting and it was unfortunate that he was not present, as the Commission was unable to show its appreciation for his contributions and to say farewell. His resignation is effective January 1, 2012.

At 8:30 p.m., Commissioner Robinson made a motion to adjourn the meeting. Chair Rinehart seconded the motion and the motion carried unanimously.


Chairman Mark Rinehart


Recording Secretary Janey Dyke