

**TOWN OF SILT**  
**REGULAR PLANNING AND ZONING COMMISSION MEETING**  
**October 4, 2022 – 6:30 P.M.**  
**HYBRID MEETING**

The Silt Planning and Zoning Commission held their regularly scheduled meeting on Tuesday, October 4, 2022. Chair Williams called the meeting to order at 6:33 p.m.

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<b>Roll call</b>	Present	Chair Lindsey Williams Vice-Chair Joelle Dorsey Commissioner Robert Doty Commissioner Eddie Aragon Commissioner Michael Bertaux
	Absent	Commissioner Charlienna Chancey

Also present were Planner Mark Chain and Community Development Manager Nicole Centeno

**Pledge of Allegiance**

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**Public Comments** – There were no public comments.

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**Consent Agenda**

1. Minutes of the September 6, 2022 Planning & Zoning Commission meeting.

**Commissioner Bertaux made a motion to approve the consent agenda as presented. Vice Chair Dorsey seconded the motion, and the motion carried unanimously.**

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**Conflicts of Interest** – There were no conflicts of interest.

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**Agenda Changes** – There were no agenda changes.

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**Public Hearing – Canyon Creek Custom Flooring Special Use Permit**

Community Development Manager Nicole Centeno introduced this project. The applicant, Whitney Linman and his business partner were present. This is a new business that has located in Units 6 and 7 at 401 Main Street in a condominium building that was constructed in 1974. It was their understanding that they could move in and start operating their company immediately. Staff saw evidence of this new business when they were reviewing the All in Brewing land use application for the public hearing in front of the Board in addition to the fact that there were new slabs of marble being stored adjacent to the building. Manager Centeno went over the background for the business and related issues. She said that they use water and a CNC machine to cut the stone with no chemical additives. The saw runs at approximately 96 dB at full capacity. To best mitigate noise, Mr. Linman is proposing that the bay delivery doors remain

closed when there is significant cutting and finishing going on. Water used gets filtered through an additional tank and it is then deposited in holding tanks. The 2000 gallon holding tank is emptied every 3 to 4 months by a septic service; so this should result in no wastewater being returned to the town system. Nicole recommended approval with conditions.

Mr. Linman then explained the operation and gave extensive details on what they do. He looked at the application as being good for the town, because he employs a small workforce and sales tax comes to the town.

The planning commission asked a number of questions including storage. Commissioner Aragon asked some questions related to the cutting of the material and circulating fans.

The public hearing was opened at 6:50 PM. There was no public comment.

After some more discussion, Commissioner Bertaux made a motion to recommend approval of the Special Use Permit with conditions proposed by staff. Second by Commissioner Aragon; the motion passed unanimously. Conditions of approval are noted below.

***Conditions of Approval:***

1. All representations of the applicant made in writing, application materials and verbally at the Planning Commission or Trustee meetings or that are reflected in the meeting minutes are considered to be part of the application and are binding on the applicant.
2. All products that are being stored outdoors, including but not limited to the storage racks on the west side of the parking lot, be moved and fenced, to either behind the building or on the south west corner of the building. It is the responsibility of the property owner and tenant, to ensure that their storage is not impeding any easements, setbacks or right of ways. Mr. Linman has proposed that all new products being delivered will be located in the approved storage arrangement, but has requested that all existing slabs remain where they currently are, as each move compromises the stone. He estimates that all existing slabs will be fabricated and installed by March 1<sup>st</sup>, at which point, he will maintain the storage requirements set forth by the Town.
3. Permits will be required to alter the property in any way, including installing a fence, hanging signage, along with various other interior and exterior changes that might need to be done to accommodate the business in this location. Call Town Hall for clarification on what needs to be permitted, before completing any work.
4. Mr. Linman will provide any additional requested documents and pay any remaining fees to the Town, prior to recordation of Special Use Permit.

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**Canyon Creek Custom Flooring – Special Use Permit**

Manager Centeno introduced this project. This is an application for a special use permit for a portion of the same building that as discussed in the prior application at 401 Main Street. In This particular instance, Mountain Marble and Granite seek permission to continue operation at Unit 1 B at the southeast corner of the building. The applicant is Mountain Marble and Granite, LLC and the business is operated by Louis Gallegos. In this particular instance, the business has been in operation for 3 years. Mr. Gallegos was not aware that he needed to obtain a business license to operate nor the fact that his operation is only allowed by Special Use Permit.

It was explained that this was a small, family-owned business and they rent approximately 1500 ft.<sup>2</sup> of space in the building. They operate a bridge saw, forklifts as well as additional equipment necessary for the operation and to ensure safety of the workers. Mr. Gallegos has indicated that he is confident that the business will bring no ill effects to the town and it hasn't up to this point in the last three years. It was noted that the applicant mitigates noise by keeping the least amount of doors open as possible. Nicole recommended approval with 4 conditions.

Mr. Gallegos was present virtually and commented briefly on the application.

The public hearing was open at 7:04 PM. There was no public comment.

There was brief discussion among the Planning Commission. Commissioner Bertaux made a recommendation to the Board that they approve the Special Use Permit with the findings and conditions presented by staff. Second by Vice Chair Dorsey; motion passed unanimously. Conditions of approval are noted below.

***Conditions of Approval:***

1. All representations of the applicant made in writing, application materials and verbally at the Planning Commission or Trustee meetings or that are reflected in the meeting minutes are considered to be part of the application and are binding on the applicant.
2. All products that are being stored outdoors, need to be organized and screened/fenced. It's the property owner and tenant's responsibility to ensure that their storage is not impeding in easements, setback or right of ways. Mr. Gallegos will be working to complete the outdoor storage requirements by January.
3. Permits will be required to alter the property in any way, including installing a fence, hanging signage, along with various other interior and exterior changes that might need to be done to accommodate the business in this location. Call Town Hall for clarification on what needs to be permitted, before completing any work.
4. Mr. Gallegos will provide any additional requested documents and pay any remaining fees to the Town, prior to recordation of Special Use Permit.

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**Site Plan Review – Family Dollar**

Planner Mark Chain introduced this project. He noted that this was a Site Plan Review for a property approximately 1.91 acres in size directly to the east of the Kum & Go at the roundabout. He stated that the owner of the property is currently the Town and there is a contract to buy the property. Mark introduced the development team who was attending virtually. Ed Waldvogel from St. George, Utah is the development team's representative. His team is taking the property through the land use entitlements process and will then lease the site to Family Dollar.

Mark went over the development issues. He noted that there was a good landscape plan which met all criteria in the towns code. Most the items that Mark bought up revolved around Main Street style improvements. Mark, in working with staff, was recommending that the developer be required to extend the sidewalk to the east side of the property and install main street style light standards and a banner pole opposite those that were constructed with town funding on the north side of Main Street. He also asked that the CDOT tall light fixture be removed as that interfered with the sidewalk extension and that a new CDOT light standard be installed somewhere else on the site. Mark noted that the applicant had requested a waiver from installing the full complement of parking spaces for the 11,000 square-foot structure per the town's Parking Standards. The applicant had provided background material justifying the request including the amount of parking spaces provided for other similar dollar stores and by documenting the time of the average clients visit to the Dollar Store properties.

Ed Waldvogel wanted to address the Commission. He thought the recommendations for removal of the CDOT light standard and the addition of Main Street style street poles came too late in the game. He stated that his requirements were to provide a signed lease to the town as part of the contract. He also noted that he had discussed some of the site plan issues with public works in August and he did not see any of these items addressed specifically in the town code. He asked that these conditions be removed. Other conditions he thought were appropriate such as removing the wainscoting on the south side of the building and placing it on the east side for appearances would be followed as requested by staff.

The Commission then discussed some of the issues. Commissioner Bertaux wondered about some potential traffic conflicts with the location of the driveway entry to the east opposite Kum & Go. Commissioner Aragon thought that the CDOT light pole should either remain in its present location or be replaced as it is a dark area near the edges of the roundabout. David is working in conjunction with Mr. Waldvogel, and asked to address the Commission. He said he is most concerned with removal of the CDOT light standard. Both Mike and Ed thought that the sidewalk could be adjusted to be meandering rather than remove and replace the light pole and money would be saved. Joe Carpenter noted that he was a broker for the property and didn't have any dog in the fight. He thought an appropriate solution would be to work around the CDOT light fixture. He also stated that he thought that the property was less than 1.91 acres in size. Commissioner Doty had one or two concerns including the increase in traffic at that particular area. David said that he thought that working through Family Dollar contacts that they could get light standards for as little as \$1800 per light fixture. There was then more discussion.

Commissioner Williams thanked the applicants for the alternative lighting proposal. She noted that this was still a very prominent location and it was important to get the amount of lighting correct. Commissioner Aragon said he did not want to be the naysayer but perhaps it was reasonable to leave the CDOT light post in its present location and go around the pole. There was more discussion about getting a proper cost source for the lights.

Chair Williams open the public hearing and there was no public comment.

The discussion went back to the Planning Commission for more comment. Commissioner Bertaux made a motion to approve the Site Plan for the Family Dollar with the conditions as presented. Second by Commissioner Aragon; the motion passed unanimously. The conditions of approval are noted below.

Conditions of approval:

1. All representations of the applicant made in writing, application materials and verbally at the Planning Commission meeting or that are reflected in the meeting minutes are considered part of the application and are binding on the applicant.
2. The applicant shall work in good faith with the town engineer to resolve issues identified in the Boundaries Unlimited Inc. redlines to the satisfaction of the Town Engineer and Staff prior to the construction of any site improvements on the property.
3. All building exterior lighting in the project shall conform to the Town of Silt lighting standards.
4. Any changes suggested by the Fire Marshall will be incorporated into the Plans for the project at time of building permit application.
5. That the CMU wainscoting shown on the south elevation (towards I – 70 and the railroad) be switched out and placed on the rear elevation which is the east side of the building. This will increase visual interest to visitors/residents approaching from the east towards the downtown.
6. Along the Highway 6 and 24 frontage the applicant should provide the following:
  - removal of the tall (approximately 40-foot CDOT) Street light fixture
  - provide 2 streetlight standards consistent with those on the opposite side of 6 and 24 and consistent with the Downtown Improvements.
  - Provide 1 banner pole.
  - Extend sidewalk along Highway 6 and 24 to east property boundary.

### **Continued Site Plan Review – River Run Self Storage**

Planner Chain introduced this agenda item. He said that the applicants, Larry Rogers and Ivan Loveren were present for the discussion. He explained that this was the 3<sup>rd</sup> session for review of the River Run self-storage site plan and he was hoping that this would be the last. He stated that he had been in direct contact with the certified Landscape Architect for the project over the last couple of days and he had some updates to report to the Planning Commission. First was that portions of the Landscape Plan had been enhanced and this included along the south boundary of the storage itself as well as on the northern element of the small single-family homes. Secondly, the applicants were proposing a boundary with boulders to protect landscaping and in working with the landscape architect he thought that the solution could work. There were problems with previous concepts and solutions because the LLC and managing agency for the single-family homes was hoping to have a gravel road and that installing a vertical concrete curb barrier would be difficult. Last but not least, Mark explained that in the discussions with the Landscape Architect he had found out that Larry Rogers had made some of the final adjustments and that the total plan/tree count was inaccurate. He said that what he was asking for was an updated Landscape Plan put together and signed by a certified Landscape Architect. He did note that the vertical, Tall Hedge Buckthorn plantings selected for

the southern boundary could work well if properly irrigated. The irrigation system also must be properly designed.

Mark said that the application update from Larry Rogers did note that there are 3 LLCs involved with this development and that made certain items somewhat difficult including the agreement between the owner/managing entity of the self-storage component and the owner/managing entity of the single-family homes. Mark said he thought that this agreement for maintenance/repair/upkeep of the landscaping buffers was crucial and still needed to be done before any building permit was issued. Mark said he did not have a precise solution yet for his hoped-for path along the I – 70 Frontage Rd.

Allan Danson asked for permission to introduce himself. Mr. Danson explained that he was the principal of the overall ownership agency and that he would take full responsibility for helping getting this trail along the frontage road built. He explained that he was the person that got the RV Park started as well as help sell units and obtain the financing package for the various single-family home owners. He said that it is a good RV Park and that the sale of the single-family homes was happening faster than anticipated. And he said that Camp Colorado (the RV Park portion) was one of the most popular RV parks in the country. He also indicated that the ownership entity, Camp Colorado LLC would help provide him the draft agreement between the managing entities of the small single-family home and the self-storage to get the project out of the starting gate.

Chair Williams opened up the discussion among the planning commission. She thanked Allan for his participation in the conversation and found his comments helpful. The Planning Commission made general comments that this was a real step forward related to both the landscaping buffer as well as progress on getting a safe and useful pedestrian path/walkway to connect the properties all on the south side of the interstate. Planner Chain noted that most the conditions of approval still applied. He suggested some tweaks to conditions # 2 and 3. After discussion it was thought that it would probably be the easiest for all to move forward and drop condition number 10 which related to the path. There was a general concurrence that staff would work directly with Mr. Danson to get that element going.

Commissioner Bertaux made a motion to accept modifications to conditions 2 and 3 and that condition 10 should be dropped from the approval motion. Second by Vice Chair Dorsey, the motion passed unanimously.

Conditions of Approval are noted here for the record:

- 1. All representations of the applicant made in writing, application materials and verbally at the Planning Commission or that are reflected in the meeting minutes are considered part of the application and are binding on the applicant.*
- 2. Provide an updated/finalized version of the landscape plan that was submitted to the Town on October 3, 2022 and have it submitted and stamped by Sherry Dorwood ASLA. The updated version you provided dated September 15 does not have the correct count of the various landscape plantings. The approved landscape barrier, which features boulders and was also submitted on October 3 needs to be incorporated as part of that Landscape Plan submittal. Irrigation details approved by the Landscape Architect should also be noted.*

3. *There shall be a specific maintenance plan for all project perimeter landscaping, including definition of all landscape requirements and responsibilities between the two ownership entities in the self-storage area and the small, single-family area. The Town shall also be a party to the agreement. The agreement will have procedures and requirements for replacement of all dead or damaged vegetation in perpetuity. The agreement shall run as long as the existing land uses survive and require escape buffer between them.*
4. *The applicant shall prepare final technical and engineering plans showing grading and drainage, utilities, site layout and access ways for review and approval by the Town Engineer.*
5. *The applicant and owner shall guarantee in writing that all plants will remain in the healthy condition, shall make any and all necessary replacements at their expense and will maintain an operable irrigation system. (This can be incorporated into the agreement)*
6. *Any exterior lighting in the project shall conform to the Town of Silt lighting standards.*
7. *The applicant will make any changes required by the Fire Marshall of the Colorado River Fire District.*
8. *Building A will be constructed as noted in the application showing the horizontal parapet added above the fascia line to give it to that wall and break up the building elevation facing the frontage Road and interstate.*
9. *The self-storage buildings will be constructed using the color palette submitted with the application.*

**Planning Update**


Planner Chain indicated that the commission would probably be seeing a special use application for a church to be located in the building at 701 Main Street. This is the property that was a former location of Skip’s Market and presently includes the Legacy Funeral Home. All in Brewing was also supposed to locate there but there are some issues between the owner of the brewery and the property owner.

There were some questions put to Community Development Manager Centeno. She talked about some of the planned activities along Main Street for Halloween and other special events. There was more discussion on the events.

**Adjournment**

**Commissioner Bertaux made a motion to adjourn. Commissioner Aragon seconded the motion, and adjourned the meeting 8:46 p.m.**

Respectfully submitted,

  
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 Mark Chain  
 Planner

Approved by the Planning Commission

  
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 Lindsey Williams  
 Chair