

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

The Silt Planning and Zoning Commission held their regularly scheduled meeting on Tuesday, December 6, 2022. Chair Williams called the meeting to order at 6:38 p.m.

| | | |
|------------------|----------------|---|
| Roll call | Present | Chair Lindsey Williams Vice-Chair Joelle Dorse Commissioner Robert Doty Commissioner Michael Bertaux Commissioner Charlienna Chancey Commissioner Jennifer Stepisnik |
| | Absent | Commissioner Eddie Aragon |

Also present were Town Administrator Jeff Layman, Planner Mark Chain, Community Development Manager Nicole Centeno and Attorney Mike Sawyer.

Pledge of Allegiance

Public Comments – There were no public comments.

Consent Agenda

1. Minutes of the October 4, 2022 Planning & Zoning Commission meeting.

Commissioner Bertaux made a motion to approve the consent agenda as presented. Commissioner Doty seconded the motion, and the motion carried unanimously.

Conflicts of Interest – There were no conflicts of interest.

Agenda Changes – There were no agenda changes.

Special Use Permit for Sunlight Foursquare Church. 701 Main St.

Planner Chain introduced this agenda item. He noted that it was a Special Use Permit for the purpose of establishing a church/place of worship in the Towns B-1 Zone District at 701 Main Street. He noted this was a public hearing and that the Commission’s charge was to make a recommendation to the Board. The Board is the final decision-making body.

Planner Chain went over the background for the site, including surrounding zoning. He also noted that two special use permits had been approved for the property in the last couple of years. Planner Chain explain that this application was different than most other application that

the Commission considers, because the U.S. Congress had enacted what is called the Religious Land Use and Institutionalized Persons act (RLUIPA). He stated that normally land-use laws are strictly based on state and local codes but that Congress has passed legislation in order to further the intent of the First Amendment. In essence, he noted that a municipality must treat a place of worship the same as they would a similar, secular use that is permitted in that zone district. He informed the Commission that in this particular case the Town must treat a church the same as "fraternal organizations, civic calls, and nonprofit lodges" for the purposes of reviewing this application.

Planner Chain went over details of the property and the applicant's description of their request, including how they would operate in the first year assuming approval, a more extensive plan for years 1 through 5 and finally long-term concepts. In the long-term, the applicant intends to utilize the eastern portion of the building for classrooms and as a meeting area, open to the public and for public events including various town groups and incorporating perhaps a cooperative relationship with Wild Coffee (AKA Misty's).

Planner Chain reviewed the application from the framework of the comprehensive plan general policies and goals, noted pertinent municipal code sections and summarized the review criteria for the Planning Commission for approval of special use permits. He recommended approval with the conditions as noted in the staff report.

Chair Williams opened up the discussion for questions related do Planner Chains presentation. Commissioner Bertaux had a question about parking.

The applicant then made their presentation. Pastor Aaron Masimer, presented the information for the Church. Masimer noted that the church has been operating in Glenwood Springs for approximately 10 years but the congregation felt it was time for them to move. He noted that many of the church participants had moved further down valley, to the Silt and Rifle area. The group felt that they wanted local space to make the church more a part of the community and where they would operate more than just on Sunday.

The owner, Francis Candlin, then asked to be recognized. She thanked the Community Development Department for its presentation. She said that when she bought the property there was not of lot of activity in the downtown area. She did note that Skip's market had been located there. She says things seem better now that the downtown improvements have been installed and that the downtown area should be celebrated. She says that she knows a lot of business people and she thinks that the church in this location could be a step in the direction of making this a more vital downtown area. She said in the past some of the potential renters for the site just couldn't make it financially. She thought what the church was proposing could help the downtown area.

Commissioner Williams asked if any Commission members had questions or comments. Commissioner Bertaux asked what would be happening with Legacy Funeral Home. Pastor Masimer noted that there was a lease until at least the end of June. There was also a question about how many people are part of the congregation. Masimer noted that there were about 80 members of the community and they may have up to 50 people attending at one time. He said that if the special use permit is approved there is a contract to buy both of the lots – one with the building as well as the one at the southwest corner of the block (now vacant).

Commissioner Doty welcomed Pastor Masimer and the church. There was discussion about outreach with the senior center, particularly the night usage and pedestrian crossings. It was also noted that some people use the subject property for parking at night, for example, as

overflow parking for the Miners Claim. Pastor Masimer said they would like to purchase the property to serve the community. They don't want to take away from the type of use that already occurs in the area. Commissioner Doty hopes that the church and community uses can work out together over time.

Commissioner Chancey noted the outreach and the intent to create space for others. There was also some discussion about youth programming, and Masimer noted that this may occur on the south side of the building and that it also may require some fencing.

Chair Williams thought that community outreach and cooperation with some of the community groups would make this beneficial to the town. Pastor Masimer hopes this will occur and noted that during the Christmas tree lighting they will/can have open bathrooms for public use, and help to this nature for other events as well. There was a question about whether the church would be requiring a fee or if much of the usage would be for free or low cost. Masimer thought that any fee would be nominal, just to try to help cover the cost but most importantly the facilities.

Commissioner Williams opened the hearing at 7:21 PM. Amy Perrin, realtor for the property, thanked the Commission for working with this group and noted that there have been dramatic changes in the real estate market recently, especially with commercial. She thought that this group could help be a benefit for downtown Silt. The public hearing closed at 7:24 PM.

Commissioner Bertaux made a motion to recommend approval of the special use permit for the Sonlight Foursquare Church at 701 Main with Staff Finding and Conditions. Second by Commissioner Dorsey; the Motion Passed Unanimously. Conditions Are Noted below:

- 1) That all statements made by the applicant both in the application and in any meetings before the Planning and Zoning Commission be considered conditions of approval, unless modified in any subsequent conditions.
- 2) That the applicant obtain a building permit for all improvements within the structure as necessary over time.

Reimbursement Update

It was noted that proposed reimbursement for attending a commission meeting was \$50. Commissioner Bertaux thought that perhaps this should be raised slightly. He also noted that if a Commissioner prepares for the meeting, but that it gets canceled for some unforeseen reason, perhaps the Commissioners should still be paid.

Chair Williams said that she would like to see what the situation is in New Castle and Rifle. Her initial comment was to be not in favor of increasing the amount because there are enough issues facing the Town, such as building a new water plant. There was also quick discussion about what should happen related to compensation if a meeting is canceled.

Planning Update

Planner Chain quickly went over the status of some projects, including the fact that the Commission would probably be seeing a site plan review for a townhome development at its January 2023 meeting.

Commissioner Comment

Commissioner Bertaux asked about the status of the I-70 Pedestrian Overpass and whether that would be near the water treatment plant. It was noted that the pedestrian facility is about 20% designed right now though there is not quite enough in the budget to bring that up to 30% design status. The town will continue working with the CDOT Intermountain Regional Planning Commission to bring this forward for new funding.

Those noted that the water treatment facility was in a tough spot. There is a dire need for an overhaul and that this project as presently conceived could cost up to \$28 million. It was noted that there was an open house on this project on December 19 to be held between 5:30 and 9:30 PM.

There was a quick question about whether the Commission was going to try to stick with one meeting a month. It was thought that one meeting a month was appropriate, unless there was a dire need or unforeseen need for a second meeting.

Commissioner Williams wanted to welcome new Commissioner Stepsnik

Adjournment

Commissioner Bertaux made a motion to adjourn. Commissioner Doty seconded the motion, and adjourned the meeting 7:59 p.m.

Respectfully submitted,

Mark Chain

Mark Chain
Planner

Approved by the Planning Commission

Lindsey K Williams

Lindsey Williams
Chair