

TOWN OF SILT
REGULAR PLANNING AND ZONING COMMISSION MEETING
May 3, 2022 – 6:30 P.M.
HYBRID MEETING

The Silt Planning and Zoning Commission held their regularly scheduled meeting on Tuesday, May 3, 2022. Vice-Chair Williams called the meeting to order at 6:30 p.m.

Roll call	Present	Vice-Chair Lindsey Williams Commissioner Eddie Aragon Commissioner Robert Doty Commissioner Kim Leitzinger Commissioner Joelle Dorsey
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Also present were Planner Mark Chain, Community Development Administrative Assistant Dusti Tornes, Community Development Manager Nicole Centeno.

Pledge of Allegiance

Public Comments – There were no public comments.

Consent Agenda

1. Minutes of the April 19, 2022 Planning & Zoning Commission meeting.

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

Conflicts of Interest – There were no conflicts of interest.

Agenda Changes – There were no agenda changes.

Vote in New Chair

Commissioner Dorsey made a motion to approve the new Chair as Lindsey Williams. Commissioner Aragon seconded the motion, and the motion carried unanimously.

Lot 94 Silt Trade Center Site Plan Review

Planner Chain stated that the applicant was Jaeger Land LLC. The Trade Center was annexed into the Town in the early 1990s. It is located next to the Dusty Wagon Car Wash. There have been some PUD updates done since it was first recorded in 1994. The last one, in 2008, changed some of the lots from B-2 zoning to an underlying B-1 zoning; which is more

commercial/retail/business oriented. The revised ordinance also defined 18 lots that were allowed two accessory dwelling units, without any special land use process. This is not one of those lots. Mr. Jaeger is proposing to build a 1500 square foot shop for business storage. This will be constructed of steel, and will include a lean-to on the east side. It meets all the set backs required. They had some issues with parking but fixed that by putting asphalt and adding parking 90 degrees to each side. It appears that cars using the car wash, currently travel on to this property, and this should be taken care of by a signed agreement or other means. This is the first industrial property as you drive into that area. Planner Chain had some concerns with the building materials, but after a meeting with the architect, he got clarification on colors and finishes. The ordinance also states the landscaping requirements, which includes 10% of the site needing to be landscaped. There will also have to be screening on the lean to, if there is going to be storage, as outside storage needs to be enclosed. Planner Chain's recommendations are in the packet.

Commissioner Doty thanked Mr. Jaeger for building at this location, and stated that it may set a standard for everything to come. The color combination looks good, and mentioned that he is the only one in this area to have a lean to. Randy Jaeger wanted to clarify the intended use of the lean to. He is going to use it for a covered patio to serve the apartment since there is no deck. Their plan is to fence the whole property for storage. He doesn't want to privacy fence in the front of the patio, as it is only 10 feet wide. A privacy fence would remove the functionality of the intended use of a patio. Commissioner Doty thanked him for the information. Planner Chain then clarified with Randy Jaeger that the patio usage was not for storage. Randy said that they are going to fence the property by the car wash, so that they don't have people coming over on his property. Planner Chain then asked Jaeger if he had anything else that he wanted to address. Randy explained that he owns two properties already in the Trade Center, so he is committed to increasing property values. Chair Williams wanted to confirm that they are using it for storage for their business, and Mr. Jaeger stated that was accurate. Commissioner Aragon asked where the landscaping was going to go. Randy said that there will be shrubbery on both sides of the entrance. Commissioner Aragon wanted to know about snow removal as well. He doesn't want the snow to be piled up on the landscaping or pushed to the rear of the site. Randy said that if snow needed to be hauled off, he would do so. Planner Chain said that there is a drainage ditch towards the rear they could tie on to also. Right now, it is kind of a bog with the drainage from the car wash but once it is brought to grade, they could fix those issues.

Commissioner Dorsey mad a motion to approve the Site Plan Review for lot 94 Silt Trade Center with the staff recommendation excluding line item six with the sentence that if requiring screening around the lean-to but keep recommendation that any outside storage be screened by PUD compliant methods. Commissioner Doty seconded the motion and it carried unanimously.

Lot 94 Silt Trade Center Special Use Permit for Residential Unit in Trade Center

Planner Chain explained that all the background information from the previous agenda item applied here as it was the same lot, but for this application we are talking about having a residential unit on top of the commercial/industrial space below. The residential unit is long and linear, sized at 625 square feet, with two-bedroom one bath. The project meets applicable Town standards in chapter 17.78 and Planner Chain is recommending approval. Chair Williams thanked them for adding residential upstairs and explained that we need more residential options. Commissioner Doty also agreed that we have shortage of residential and is also glad the applicant is going to help with the drainage issues at the car wash, that could become an issue in the future.

Commissioner Doty made a motion to approve Planner Chain's recommendations. Commissioner Leitzinger seconded the motion.

Commissioner Dorsey questioned that motion and asked that it be rephrased to clarify the open space requirements for the residential.

Commissioner Doty made a second motion, with revised wording, and Commissioner Leitzinger asked Commissioner Dorsey if that satisfied her concern. Commissioner Dorsey still expressed that different wording be used in the motion. Commissioner Doty then withdrew his motion and asked Commissioner Dorsey to make the motion for him to second.

Commissioner Dorsey made a motion to approve the Special Use Permit lot 94 of the Silt Trade Center with the staff recommendation of staff line-item number one and exclude line-item number two (private open space for the residential unit) as it was being provided per plan. Commissioner Doty seconded the motion, and the motion carried unanimously.

Modular Home on 5th and Ballard

Planner Chain introduced Jim Bennet, who lives at 5th and Ballard in an older trailer. The trailer was moved to this location in 1971, and is 12 x 72. It has a deteriorating roof that is sagging on the inside, there is probably mold in there as well. He would like to upgrade, but there are some problems. It is the R-2 general residential Zone District. Jim is a retired Veteran and on a fixed income. Jim has found a modular home that is about 880 square feet. Modular homes and Manufactured homes in the Town, in general, are not encouraged with the Town Code, but can be allowed by special use permit. Some of our zones don't allow them at all. They are on a foundation just like a house and have to meet all the same requirements as do stick built homes. It can be cost effective for people to do. In the R-1 District the minimum size requirement is 1200 square feet, R-2 is 1000 square feet, R-3 is 860 square feet. Jim's proposed unit would not meet the underlying minimum unit size of 1000 square feet. Planner Chain suggested the code should be changed to allow smaller homes. There are parking guidelines that we have to follow if you do any upgrading but on these smaller homes in the older part of Town this can be hard to do. There are also exterior architectural guidelines for residential single-family units. The exterior of the home has to meet 25 points of architectural standards. Planner Chain wondered if this was necessary in the older parts of town where there are older homes on narrower lots. In summary, Chain said that there are many code provisions which make it difficult to comply with the underlying regulations and improve living situations for these older trailers and modular units.

Planner Chain gave it over to Jim Bennet. Jim said he has lived there for 15 years and the property is paid off. He stated there are more people like me in this situation that need to replace their homes, so they have better living conditions. He noted that since he started this process, the prices have jumped tremendously. He would like to stay in the 600 to 800 square feet so that he can afford the home. He said if he can't afford to replace his existing unit somehow, he would have to move completely out of the area this would be unfortunate as he noted he has lived here since he was in High School.

Community Development Manager Centeno explained that Jim has been trying to do this for a few years now with no success. She said she went to his house to look at everything. The conditions that he and others are having to live in are difficult. She noted we are going to run

into this a lot more with some of the regulations such as required minimum unit size in the downtown areas. Now would be the time to proactively look at changing the code to help our citizens.

Chair Williams thanked him for the presentation and for his service. She would be ok with exploring this topic more and thinks that we should have work session in regards to fixing these codes. Commissioner Aragon agrees with her and there are other people who this will affect. Once the homes get to a certain point you just need to replace them not fix them up any more. Planner Chain then stated that the vacant properties that you see around are typically "preexisting, non-conforming". Commissioner Doty thanked him for his service and his presentation. We have a legal responsibility to our citizens, he stated. The rules for this are out dated and need to be updated. Commissioner Doty wants to know how soon he would like to move forward with his plan. Jim stated that all the homes that he has looked at are at least a year out or more. He also has to keep the cost as low as he can since he is on a fixed income. Commissioner Doty said that would give us time to get our code updated. Affordable housing is a very important to our Town. Commissioner Leitzinger completely agrees with these recommendations. She has been concerned with the size restrictions; her house is falls with in those size problems as well. Planner Chain need her to clarify does she agree with the house size requirements or does she think that we should keep something a certain minimum. Commissioner Leitzinger's house was built in 1957 it is currently 790 square feet if something happened to her house she could not just rebuild. She believes that the Town should find a way to accommodate different types of family structures. That will help diversify our Town. Chair Williams aske the Commissioners if they had any comments on are there any manufactured home/modular units that meet standard building code criteria considered a problem in the Town. Commissioner Aragon does not have enough knowledge about this to say much. Commissioner Leitzinger doesn't have any issues with that either.

Community Developments Manager Centeno wanted circle back around to Commissioner Doty's question about the timeframe in which Jim was looking to make this change. She stated than he came in front of the Commissioners, to seek guidance on whether or not to move forward with a SUP. He would have to buy a house today in order to have it delivered in 12-18 months. If he waits until the Town revises the code, then he would be 2-3 years out before being able to receive a new house. Jim needs guidance on what to do whether that is a Special Use Permit or some other process.

After considerable discussion, there was a consensus to analyze the code, coordinate with the Board of Trustees and see what reasonable changes would need to be made to accommodate situations like this while conforming with building codes and other relevant standards. In the meantime, staff should help Mr. Bennett examine a process to get approval for a home that works for his property so arrangements can be made to obtain one. The commission thanked Mr. Bennett for making the Commission and staff aware of some of the outdated code related issues.

Rislende PUD Zoning and Subdivision Sketch Plan

Planner Chain introduced the various members of the project team. They came to the last meeting and gave a presentation on the project. This is public hearing for a PUD zoning and subdivision sketch plan. Planner Chain indicated that yesterday he, the Public Works Director and the Town Engineer met with this group and went over the identified subdivision sketch plan issues. A lot of the back ground studies have already been done but some of them will need to be updated. There will be a site plan review on each of the tracts some of them might have a

sub plan review. The developers wish to get the Beacon which is on tract 3 constructed done within the first year. Town representatives and Mr. Carruth had a meeting today with CHFA regarding the tax supported multifamily housing and Planner Chain asked Mr. Carruth for an update. He indicated that that CHFA wants to make sure that the frontage road pedestrian path is connected to County Road 311 intersection.

Chain noted that the maximum development potential for this entire project will be a total of 160 residential units, 72 units each on tract 1 and tract 5 and then on tract 7 there will be 16 single-family units. On non-residential, he noted a specific limit have not been proposed. In terms of building size 30,000 square feet is the most you can get in any building and that will probably be mixed use. In tract 6 (Event Center) that allows 20,000 square feet per acre. The zoning guide has a maximum lot coverage of 70% for both the event center and mixed-use districts. The height for the lodging district is 25 feet, two stories. The event center district and mixed-use height is 40 feet, three stories. The landscaping requirements are 18% of the total disturbed area. The 70% for the lot coverage doesn't cover the parking or access area - it is the area defined by the building footprint at ground floor level.

Open space and park land are proposed to be 25% which is the PUD Regulation requirement. For park land dedication, they would like to have park land via the Town formula that allows private ownership but requires a public easement. The advantage for the town is that the private owners would have to maintain these areas. They are still at the concept for a lot of these. It meets all the PUD approval criteria requirements. Chain said he is excited to see this built and see what amenities that it brings to the Town. There are items that need to be taken care of such as a surface use agreement which were allowed in the last land use approval that basically goes with oil and gas. Chain said that is probably best to get expunged from the property. Related to domestic water use, the EQR's that were allowed and used domestically were 213; Chain thought the developers they might have to increase that EQR amount, but we will have to see. Related to wastewater, there is a lift station that might have to be in the future. Tract 1 and 2 are gravity fed to an interceptor on the area south of the frontage road. A lot of the technical studies were completed previously but some will have to be updated.

In terms of the Engineers comments, he noted that there is high ground water that will need to be taken care of. Since the property is along the river it will need to be evaluated by an ecologist. The property is along the Colorado river and that is the only source of drinking water for the Town, that will have to be protected all stormwater and snow melt runoff must run through BMP's that treat the water quality capture volume. Then there is the LOVA Trails. This property is contained within the regionally accepted LOVA Trails Master Plan document. There appears to be a narrow gravel path extending through most of the project, but the application documents don't acknowledge LOVA Trails and it appears that the path may be too narrow. Chain doesn't know if the trail has to be hard surfaced at this time, but it should at least include the appropriate width (10-ft for hard surface and 1-ft shoulder on each side?). The trail is shown running along the river the behind BLM building. The river bank in that area has experienced significant erosion in the recent years. Bank armoring will be necessary if the trail is to be constructed along that section. IT might be really difficult to have the trail along this portion. Pedestrian crossings must be provided at CR311 in the E/W direction and the N/S. The crossing near the tunnel is 'mid-block' and in a high-speed area making it a hazard, it should be deleted. The Future Access centerline off CR#311 for tract 4 must align with the centerline of the Holiday Inn Access.

Planner Chain handed it over to Doug Pratte to continue. Access was the key discussion issue that the development team had. The CDOT access plan does allow for two points of access between the BLM access and County Road 311. they are proposing a loop road the goes

around tract 1 and then road access in between tract 3 and tract 2. More access information was discussed. Doug said the developers did not want to do have the main road for the development located between the river and the frontage road. They are trying to leave gaps in vehicles circulation to have more pedestrian circulation. Tract 4 will have access off of County Road 311 not off the Frontage Road. Tract 4 will need to be raised to get above ground water level. That will also help to not negatively affect ground water and all the things that will need to be placed in the ground. The PUD is a whole other discussion all together. The standard that applies to the Town code still apply to will the PUD.

Chair Williams thanked them for the presentation. She said that it would be great if they wanted to go in front of the LOVA board to further discuss the path. It would be a great stopping place for people on the paths. She needed clarification on a map shown in the packet and if the blue line means a pedestrian path. Doug Pratte said that the blue line is from the Town Engineer for something different. Pratte was referencing it for a potential for a community path instead of a vehicular right-of-way. Chair Williams was wondering if there was any way to not have this weird patch work of paths to get to the path by the Holiday Inn. She would like to further the conversation to connect to the path by the Holiday Inn under County Road 311. Chair Williams had some question on the water rights and wanted to hear it from them. Planner Chain stated that they have 4 shares from the Grand River Ditch. Dennis Carruth said that he did own them but they are now dedicated to the Town, in turn he has 213 shares of domestic water. That serves the in-house water, well number 2 has not been drilled and that would serve irrigation for the project. Tract 1 would get water from the Town water for both the in and outside stuff. Planner Chain said that he would get those numbers together for the next meeting to make sure that everything was satisfactory.

Doug Pratt said that if that wanted more details on the walking path that we could talk about it now. There will have to be a crosswalk at the intersection of County Road 311 and the Frontage Road and then again to cross the Frontage Road to get under I-70. The developers are anticipating more analysis and discussion at the Site Plan Review and they would look more extensively at the community paths and look at exploring connecting to the Holiday Inn trail under the road.

Commissioner Doty is concerned with safety at the intersection of County Road 311 and Frontage Road. If there is a crosswalk, will signs be posted as well? Planner Chain asked if there are any improvements that will need to be made to the underpass going under I-70. Doug Pratte is not an underpass engineer. Doug asked who currently maintains the underpass. Planner Chain will check with the Public Works Director and see but it could also be CDOT or County that is supposed to maintain it. Roger Neal stated that there has been a lot of improvements up to the underpass. Mitchell Weimer said that the Town has a Sales Tax incentive that they would be willing to work with that to get some improvements done there as well.

Chair Williams opened the public hearing at 8:45 and it was closed at 8:47 there was no public comment. Planner Chain gave his recommendations to the Commissioners. All the Commissioners agree to move forward in in the process. Commissioners Dorsey stated that this is a very good project and the Town citizens will all benefit from this project. Commissioner Doty thanked them for the presentation and he looks forward to the PUD's coming in the future and this will be good to Silt and the surroundings communities. This will put Silt on the map in front of some other communities. This will also be asset to the community as well. Planner Chain will be back in two weeks with conditions of approval. Chair Williams would like to show this to the LOVA committee. Doug Pratte would like a continuance of the public hearing for the public. The Commission continued the hearing till 5/17/2022.

Planning Update

Planner Chain gave his update on the projects to come. Rislende will finish up at the next meeting, and there will also be a restatement of Camario Phase 2. If the Site plan is finished up for Brew Zone that will be coming, as well as code changes for the minimum unit size for houses.

Commissioner Comments

Chair Williams nominated Commissioner Dorsey for Vice-Chair. Commissioner Aragon seconded the motion.

Commissioner Leitzinger needed clarification on if the Commissioners were are officially meeting every two weeks moving froward. Chair Williams said that the second meeting that we have been having is due to the items that are coming in. Planner Chain agreed that we are having two meetings a month to keep these projects moving forward, but when the land use application load declines the Commission will be back to one meeting a month. Commissioner Leitzinger thanked Planner Chain and will try to make her schedule fit the extra meetings.

Vise-Chair Dorsey questioned that she had heard that we were going to get rid of hybrid meetings. Planner Chain stated that one of the Board members would like to have all the meetings in person only. He thinks that most people will continue these kinds of hybrid meetings. Vice-Chair Dorsey thinks that this might help get more people involved because you can attend virtually. Commissioner Leitzinger thinks that these types of meeting are great. She explained that she has to be cautious about who she is around, and this allows her to still be a part of the meetings, but stay healthy. Town Administrator Layman thought that it was up to the Commission whether they wanted to keep the hybrid meetings, and he would never support moving backwards since we have come this far with technology.

Adjournment

Commissioner Aragon made a motion to adjourn. Commissioner Doty seconded the motion, and adjourned the meeting 9:18 p.m.

Respectfully submitted,



Dusti Tornes
Community Development
Administrative Assistant

Approved by the Planning Commission



Lindsey Williams
Chair