

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

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

Roll call	Present	Chair Lindsey Williams Vice-Chair Joelle Dorsey Commissioner Robert Dot Commissioner Kim Leitzinger Commissioner Michael Bertaux Commissioner Charlienna Chancey
	Absent	Commissioner Eddie Aragon

Also present were Planner Mark Chain, Community Development Manager Nicole Centeno, Community Development Administrative Assistant Dusti Tornes.

Pledge of Allegiance

Public Comments – There were no public comments.

Consent Agenda

1. Minutes of the August 2, 2022 Planning & Zoning Commission meeting.

Commissioner Doty made a motion to approve the consent agenda as presented. Vice Chair 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.

Continued Site Plan Review – River Run Self Storage

Planner Chain introduces project and summarized his staff report. The project had previously been reviewed at the April 19 Commission meeting and in the meantime the applicants have been tweaking the project site plan, working with a Landscape Architect to provide a landscape buffer along various edges of the project, working on updating the façades on Building A (the building at the northeast corner of the project area) and related items. Planner Chain spent considerable time going over some the landscape details and internal tweaks to the layout and interiors of some of the storage buildings.

Planner chain also said he was trying to come up with suitable language for an off-site improvement which would be construction of a pedestrian path along the south side of the frontage road. Chain said that the portion of the River Run/KOA parcel immediately adjacent to the CDOT frontage road right-of-way was only about 87 feet. Because of the number of present and future residents in this area and in consideration of town policies he thought it would be an excellent idea to try to extend that path further west even though portion of it was directly adjacent to property owned by Tire Tech. He told the Commission that Heron's Nest will be coming in for an annexation sometime within the next six months and that had been mentioned to that property owner that they may be asked to build an off-site improvement; specifically, an approximately 6' or 8' wide path starting at their property and constructing towards the east. Chain said he would need to work with the Town Attorney to make sure that such a condition was both doable and legal.

Chain said that the applicant had made a number of improvements over the past months but he still had a number of conditions in order to bring what he thought would be a final approval. Chain recommended approval with a number of conditions (10).

Applicant Larry Rogers went over some of the changes they had made to the various buildings including highlighting some of the landscaping issues. From a visibility standpoint, one of the most significant changes would be adding the "old West" façade onto Building A – which included horizontal fascia elements to help differentiate the height of that building. This building is approximately 230 feet in length and such a variation is important. He also noted that there would be an on-site, professional management company which will be taken very good care of the project.

Commissioner Bertaux had some questions related to the path. He also asked whether the storage units were open to the public and whether the small, single-family home residents would have first chance to read some units. The applicant said they would be open to it. Commissioner Dorsey had some questions on maintenance of the landscaping and who was to be responsible for it – the tiny home area or the storage project managers. Commissioner Doty thought that landscaping mitigation at the south end of the storage project was critical. There were some more questions from the commissioners regarding the landscaping.

The public hearing was opened that approximately 7:30 PM. There were no comments in the public and the hearing was enclosed.

Chair Williams noted that with the questions from the commissioners she felt that perhaps the applicant should be coming back to address two or three of the items. Larry Rogers noted that they have worked on this plan and he was hoping that it could go to building permit at this time and not have to come back for the planning commission. He thought they had worked on the project improvements and it was meeting the town standards.

Commissioner Bertaux made a motion to postpone the review and have more information submitted regarding to conditions 2, 3 and 10. Second by Commissioner Dorsey. The motion passed by a vote of 4 to 1, with Commissioner Doty voting no. The 10 conditions are included below 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. The applicant will submit a Landscape Plan from a certified Landscape Architect for review showing all proposed landscaping in the project and along the perimeter including

those areas adjacent to the northern row of single-family homes. The plan shall show all irrigation and be found acceptable to Town Staff.

3. The applicant will provide a specific maintenance plan for all project and perimeter landscaping. Maintenance plan will describe all maintenance requirements along the common boundary with the single-family home area and who has those responsibilities.
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.
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.
10. The applicant will provide an asphalt path adjacent to that portion of the property abutting the I – 70 right-of-way frontage road.

Autumn Ridge Sketch Plan

Planner Chain introduced this project and went over the staff report. He noted that there were two items/projects involved with this parcel of land. One is a sketch plan and another is a zoning request from R-1 to R-3. He recommended they be handled as separate application. Autumn Ridge was a project that received an initial approval and 2007 or 2008. It was a multifamily project and had approval for over 40 units with a CDOT Access Permit for approximately 35 units. The parcel is 3.07 acres in size and has utilities available and primary access off of Highway 6 and 24. Mark noted that there were utility and access easements across the ditch to the north which lines up for future use for Valley Drive and Cactus Drive. A Town water main was constructed along the southwest portion of the property for which there is no easement. The applicant said that they would grant an easement for the water main. Chain noted that Mountain Cross Engineering was acting as the town's contract engineer due to a conflict of interest. He noted that Mountain Cross had supplied a letter with questions and responses were made on a one-by-one basis to the applicant (included with application packet).

Deric Walter, one of the applicant's went over some of the details. He noted that they had obtained an Access permit for CDOT and would be getting a required extension. He noted that the access itself for the lot shares a driveway with the property to the east. Also, the access to the Highway would be relocated and the opposite the storage project to the south. He also went over some of the general utility easements and responses to Mountain Cross.

Planning Commission then had some questions. Commissioner Doty noted that perhaps the property could be used for some types of mixed-use. Commissioner Bertaux asked why the garage to the single family would be separated and be on Lot 2. There was more discussion about the access. The applicant noted that the permit was for 30 for multi-family units. Commissioner Bertaux thought that a left-hand turn lane would be appropriate.

Chair Williams open the public hearing at 8:09 PM. Melanie Andrus had concerns about the number of homes, increased traffic and ask what the solutions could be for this density. Jonathan Andrus had concerns that there was 1 driveway for 36 units and thought a second entrance would be appropriate. He also thought that Cactus Drive would be too narrow to use and the Town cannot keep up presently with damaged roads. William Begaye noted that the applicant had talked about the impact of the great recession. He thought that the applicant perhaps should sell the property. He had a deaf child and was concerned about increased traffic.

Tina Cox, 260 Valley Drive was concerned about the number of units and thought perhaps the property should be rezoned to business and not residential. Another Valley Drive resident thought that the owners along Valley and Cactus drives owned the land on the other side of the ditch. Diane Webster suggested that the Planning Commission go look at the property. She thought that this density and usage appeared to be infeasible.

Nikita Begay said that she lived on Cactus Drive and had a deaf daughter. She thought that the development could affect her daughter's future. She had concerns related to access, drugs and other social problems. She thought this amount of growth would make it difficult for the kids here now to raise their kids in the future. Ashton Wilcox of Valley Road, said that she has kids and is the newest resident in the area. One reason she had moved here was because of the quiet and welcoming neighborhood. She wanted this environment for her growing family. She was concerned of a development of the size.

Chair Williams closed the hearing at 8:21 PM.

Mark Chain provided a recommendation on the project. Deric Walter asked to speak. He noted he had been a resident of the town for 20 years and that is co-applicant, Joy Zeller was born here. He indicated that similar comments have been brought forward with the previous application. He said that this time they were doing their planning and trying to make sure all vehicular traffic had access to and from Highway 6 and 24 and that it would not be necessary to use Valley and Cactus drives. He noted that the highway had more than enough capacity for this density and utilities were properly sized for this type of development. He said the plan right now was to divide the property, sell off single-family house and continue to plan for a future multifamily development.

After some discussion, Commissioner Leitzinger made a motion to approve the sketch plan with staff conditions. Seconded by Commissioner Bertaux. The motion passed by a vote of 5 to 0.

Conditions Below

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. That the Plat for the Minor Subdivision include inadequate water line easement for the town water main which transects the Southwest corner of the property (**Note: unfortunately, the town should not have constructed a water main across this private property without a proper easement. I believe this is the most cost-effective solution**).
3. That no further development with the exception of 1 single-family house can occur on Lot 2 unless the applicant goes through a Site Plan Review process or another type of land-use application including a subdivision with detailed engineering, PUD rezoning etc.

4. That water rights be clarified at the time of any development or future land-use proposal with Lot 2.
5. That representations of the letter of September 1 from Boundaries Unlimited be followed as appropriate for the Final Plat of this Minor Subdivision or any future development/application for Lot 2.

Autumn Ridge Rezoning

Planner Chain introduced this project. He said that the present zoning was R- 1 in the proposal was to rezone the entire parcel (both lots) to R-3. He said that these properties with this designation are located along arterial roads or at the intersection of major collectors. The Comprehensive Plan proposes that commercial uses in this area will not complete with the Downtown or the Service and Commercial Support areas identified in the Plan. Finally, the Plan suggests that as these areas develop, it is expected that density could be between 8 and 20 units per acre and that it is hoped that these areas fully utilize the town's infrastructure and create an appropriate residential support for the neighborhood commercial. Chain went over the review and approval criteria on a point-by-point basis. His finding was that the rezoning application is in compliance with the Comprehensive Plan, is consistent with the purposes of the proposed zone district, that utilities and access are adequate and available and that the property should not result in significant adverse effects upon the natural environment. He recommended approval for the rezoning.

Commissioner Bertaux asked about the possibility of modular homes being constructed on the site. In the long run, he said he was looking for what would be best for the Town in the future.

Deric Walter then made his presentation regarding the rezoning application. He thought the best use for the property would be as residential high density. He said there seem to be no demand for commercial and that he thought residential high density was most viable and that R-3 was the best zoning for the property. He did note that there are better properties in this particular one for commercial and they were not selling at this time.

Commissioner Williams open the public hearing at 8:52 PM. Jonathon Andrus said he did not like the R-3 designation. He thought the area was too crowded already. He thought that perhaps a compromise was zoning of R-2. He thought the present proposal was too much for the town as well as the roads. Diane Webster thanked Commissioner Bertaux for the comments. He said he wanted to protect the environment and that the people in this neighborhood were environmental also. Tina Cox said she didn't agree with the arguments against commercial. She thought that this would be a much better use for the property.

Another resident had a concern about the irrigation in the area. She thought with this development the area would have difficulty meeting its irrigation needs and it would also reduce property values. Nikita Begay asked the commission to look at all these people who were present tonight for the hearing. She had concerns about landscaping for the project, Snow storage etc. She said perhaps a happy medium would the R-2 zoning.

Chair Williams closed the public hearing at 8:59 PM and opened the floor for comments from the commissioners. Commissioner Doty thanked the public for coming. He also noted that the public should follow the process and that they are welcome to talk to the Board eventually as they are the elected representatives. He also thanked the public for their comments and concerns regarding traffic. Commissioner Bertaux said this is a difficult site. He said at this time

he was more inclined to recommend R-2 than R-3. He also thought that the height limit for R- 2 was 27 feet and this may be better for the neighborhood. Commissioner Leitzinger also said she was more inclined to move towards R-2 she also said she appreciated the applicants time in presenting the proposal.

Applicant Deric Walter addressed a few concerns. They are:

- They are trying to formulate a project where access and the vehicular traffic will not have to crossover the ditch to either Cactus or Valley drives.
- R-2 flexibility is less than what one has in R-3.
- The applicants think that development of this property is a prime opportunity for the town.

Chair Williams thanked the citizens coming for the public hearing and their comments on the property and the development. Commissioner Doty also thanked the public for coming and noted it is their right to take their comments to the Board. Applicant Joy Zeller said she appreciated the citizen comments related to “balance” of the development.

There was then more discussion on the project by the commission. Commissioner Dorsey then made a motion to recommend to the Board that they decline the request going from R-1 to the R-3 Zone District. Second by Bertaux. The motion passed by a vote of 3 – 2.

Voting yes: Bertaux, Dorsey and Chancey

Voting no: Williams and Doty

Planning Update

Planner Chain indicated that there may be 2 or 3 special use permits related to fabrication establishments that are trying to locate or have located previously to 401 Main St. without a business license or any other permit. Chain told the commission that it appears that All in Brewing was in a lease conflict and they may not be moving forward. He updated the Commission on Rislende and Camario and indicated that Family Dollar (the property next to Kum & Go) would be coming in front of the commission for a Site Plan Review in October.

Chain and Community Development Manager Centeno updated the Commission on the temporary storage tent and did note that it had been reviewed by the Fire District.

Commissioner Comment:

- Commander Doty thought that this is been a long but good meeting and it was good for the commission to get detailed thoughts together for such projects.
- Commissioner Bertaux said that all the options were not closed yet on Autumn Bridge
- Commissioner Dorsey said that related to Autumn Bridge that the applicants seem to be saying they were in a difficult position and perhaps they should be trying to accommodate a business type of application for the property.
- Chair Williams said she appreciated all the comments from the Commission

Adjournment

Vice Chair Dorsey made a motion to adjourn. Commissioner Bertaux seconded the motion, and adjourned the meeting 9:39 p.m.

Respectfully submitted,



Mark Chain
Planner

Approved by the Planning Commission



Lindsey Williams
Chair