

**TOWN OF SILT  
REGULAR PLANNING AND ZONING COMMISSION MEETING  
JANUARY 10, 2023 – 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 6:32 p.m.

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

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

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**Pledge of Allegiance**

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

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**Consent Agenda**

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

**Vice Chair Dorsey made a motion to approve the consent agenda as presented. Commissioner Bertaux 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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**Sign Exception for Family Dollar**

This agenda item was introduced by Community Development Manager Centeno. David Randolph was present remotely to represent the applicant. Manager Centeno said that the applicant was United Sign Systems on behalf of Family Dollar and Dollar Tree. The property is in the B-1 Zone district and the location is 1007 Main Street, previously known as 1007 Hwy 6 & 24.

Centeno summarized the request. She stated that 3 signs were being requested for an exception; a dual branding freestanding sign and two signs located on the building itself.

Sign 1 was to be an LED illuminated sign with block letters – color to be dark red and orange and included the Trademark Name Family Dollar. Total Size Was 49.58 Ft.<sup>2</sup> Which Exceeded the Allowed Signage. This request met the height requirements.

Sign 2 was also a wall monitored led illuminated sign with block letters that were to be vivid green with the trademark sign Dollar Tree. The sign was a total of 53.91 ft.<sup>2</sup> in size and exceeded the underlying max of 16 feet. The sign also met the height requirement.

The third sign was a freestanding monument sign, that was to be stacked with the Dollar Tree sign located above the Family Dollar signage. Total square footage of the sign was 80 ft.<sup>2</sup>. This proposed sign also exceeded the size allowed by code. In addition, the sign was proposed to be 8 feet in height, which exceeded the 6 feet height maximum in that zone district. The height also required an Exception.

Centeno quickly describe the issues related to the signage. She indicated that staff supported the applicant's request and thought it was reasonable. One reason was the dual branding of the facility and the fact that there was more than one trademark sign required. She also felt that the higher travel speeds on Highway 6 and 24 justified some larger sign square footage. Finally, she noted that there were no visual obstructions or negative disturbances that would be created by approval of the exception.

Mr. Randolph wanted it noted that the lights would be shut off on the facility 30 minutes after the closing time of the store. There then were some general questions from the Commissioners. There is also a question about why there was not a sign on the east elevation of the building. There was some discussion that this may be appropriate as there was an assumption that the store operators would like the ability to be identified by people approaching the downtown from the east.

Commissioner Williams opened the public hearing at 6:52 PM. There is no comment. She closed the public hearing at 6:53 PM.

There was a brief discussion among the commissioners. Commissioner Bertaux made a motion to approve the application for an exception for the dual branding signs and the freestanding sign with staff recommendations. Seconded by Commissioner Doty; the motion passed unanimously.

Note: conditions provided 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 to be part of the application and are binding on the applicant.
2. Applicant will provide any additional requested documents and pay any remaining fees, prior to installation of signs.
3. Community Development will need to issue a permit before installation of signs can occur. The Town will also need to inspect the signs, prior to the permit being approved to close out.
4. All future signs will require a permit and sign exception, if required.

### **Site Plan Review for multifamily lots – 1001 through 1003 at Bella Vista**

Planner Chain introduced this project. He noted that the applicants were represented by Doug and Julie Pratte and that Russ Hatley of the ownership group were also present via Zoom . He indicated that the these 3 lots have always been platted as multifamily residential in what was

originally called the Painted Pastures subdivision. With the exception of these and three other multifamily lots, Painted Pastures has been built out with single-family homes. He noted that the application was for a total of 22 townhome units. The subdivision was originally platted in 2008. There was an amended plat for the multifamily lots that were recorded in 2009. Zoning for the property is R-2. Chain did want the commission to note that the original building envelopes were for duplex structures. The amended plat allowed a total of 23 units.

Chain said that the project had been reviewed a number times for the Comprehensive Plan, so he did not want to go into detail at this time. He briefly summarized the various code sections, which applied for this type of site plan review. He wanted to go over a few items in some detail.

**Parking.** Chain wanted the commission to understand that 2 parking spaces are required for each unit by code. He noted that the applicant was proposing one space in the garage and one space outside the garage. He explained that there was an interior access drive which was parallel to West Sabino Lane. This parallel roadway was to provide access to the units and there were also parallel water and wastewater lines in the drive which were to provide utilities to the townhomes. Guest parking was to occur in the public right-of-way. Chain wanted to emphasize that in order for this parking plan to work a sub- Association to the HOA or another mechanism would be required to enforce the parking. He did not want the town to be responsible for enforcement. This was still an outstanding detail that had not been hammered out fully by the applicant. His main concern was that unless the garages were kept available for parking, adequate parking could not be achieved. For single-family homes, the town requires parking spaces outside of carports or garages.

**Need for re-platting.** Chain noted that the building envelopes do not comply precisely with the previous amended plat. There was a plat note 2 in the documents which allowed re-platting to conform with specific building and improvement plans once construction was completed. He wanted a deadline for this replatting to be done. Chain explained that the development plan was to have these as rental for 10 years and then possibly they will be converted to individual ownership. He wanted to deadline for amending the plat to show specific envelopes and units in a shorter timeframe so that this issue wouldn't be lost over time if different ownership took over the property or that there was an extensive turnover in town staff.

**Fire District review.** Chain noted that the plans had been forwarded to the fire district. He would contact the fire Marshall and make sure any changes were either reflected on updated plans or conditions of approval.

**Engineering.** Chain noted that the town engineer had been out of the country during Christmas vacation and his review was only now beginning. He wanted a standard condition of approval where engineering concerns were considered conditions of approval and had to be agreed upon between Project engineer and the town engineer.

Planner Chain then recommended approval of the application with 8 conditions of approval.

Doug and Julie Pratte addressed the planning commission. They noted the garage spaces for parking and that enforcement would have to be worked out. They summarized information on the landscaping plan and other details that had been touched on in the staff report. Julie Pratte briefly touched on the landscaping and noted that certain areas are being designed to hold up better for intensive usage by residents and their pets. He was also noted that the one-story units would be ADA accessible.

The project was opened up to discussion and questions from the Commission by Chair Williams. Commissioner Bertaux had a question about parking and the accessible unit. Commissioner Doty thanked the applicant for the proposal and asked when they plan to start construction and be prepared for occupancy. Russ Hatle said the schedule was to start in early April and that the units would start being available for occupancy in April 2024. He projected that would take approximately 8 to 10 months to have the units fully occupied and was hoping there will be fully occupied in the first half of 2025.

Chair Williams had some questions about parking enforcement in the HOA. Doug indicated that there would probably be a Sub-Association for parking enforcement. He and Julie noted that there may be a possible fee for maintaining and upkeep of the access drive and associated improvements. Related to parking spaces it was noted by Julie that one of the positive aspects of this proposal was that the owner had an approved self-storage project in the immediate vicinity and that this would be useful an opportunity for the prospective tenants. There was some discussion about landscaping, the rear elevation and Planner Chain noted the 50-foot utility easement and pedestrian easement on the rear side of the lots (south side of the project).

Chairperson Williams opened up the public hearing 7:43 PM. Neil Bartczak at 209 Grullo Street. He thought that the appearance of the townhomes had an apartment house appearance and that this compromised the views from his property. He thought that some parking problems could be created by the design and that when units sell, they would be subject to a Metro district and have relatively high property taxes compared to other properties for the area. He thought right now that the homeowner's association did not follow through on problems with parking and that there were too many units in the project. There were no other speakers and the public hearing was closed.

Russ Hatle said that he was familiar with parking issues that occurred in the single-family area and he noted that this is a public street. He thought a sub-Association could be created that could enforce regulations and prevent parking problems Mr. Hatle also noted that the design of the townhome units on the various lots had a better appearance than the original concept which was a series of duplexes as those duplexes were to be two stories in height. He noted that the end units on all the lots are one story in height. Doug Pratte added that the number of multifamily units being built is slightly less than the original approval.

Mr. Hatle then addressed the issue of timing of a re-plat. He noted that this is an opportunity zone and a family-owned company has been created to develop the area. The 10-year time frame encourages investment related to capital gains and this was one way to help create the housing units in the area. He offered a suggested timeframe for replatting of two years from the application for a certificate of occupancy. He then offered some specific ways for preventing parking problems such as having it available to enforce a release provision and that the sub dissociation would take direct responsibility for any enforcement.

Commissioner Stepisnik suggested that perhaps replatting occur within two years of time of construction. There were then other comments about the timing of the re-platting.

After more discussion Commissioner Bertaux made a motion to approve the site plan review for the townhomes at Bella Vista, lots 1001 through 1003 with staff findings with the exception of condition # 6. He stated re-platting should occur within 18 months of acquiring the building permit. There was no second to the motion.

There was then more discussion. Mr. Hatle explained some of the delays that can occur during the construction process, including supply chain difficulty, problems with labor pool etc. He suggested 12 months from the application from a certificate of occupancy. Commissioner Bertaux made another motion for approval of the site plan review with staff findings with the exception of condition 6 which should be change to a re-platting to occur within one year of obtaining a certificate of occupancy. Second by Commissioner Chancey. The motion passed by a vote of 3 to 2.

Voting yes: Commissioners Bertaux, Chancey and Chairperson Williams

Voting no: Commissioner Doty and Vice Chair Dorsey.

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.
5. That the Frontage Road and any associated utilities within the frontage road are considered private improvements and will not be maintained, repaired or replaced by the Town. (We may need a plat note for simple agreement to memorialize this – I will check with the Town Attorney in the meantime).
6. These lots are subject to re-platting to better define lot boundaries and building envelopes as per Plat note 2 of the Amended Final Plat recorded at reception number 773723. This replatting will occur within 1 year of obtaining a Certificate of Occupancy.
7. Applicant will propose an enforcing mechanism to ensure that garage spaces are open for parking.
8. Provide water meter pit locations and construction details per Public Works Comments.

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## Planning Update

Planner Chain updated the commission on a number of matters including:

- Autumn Ridge. He said that the Board of Trustees had approved the rezoning and the minor subdivision for that property.
- Jumbo Storage land use application. Chain said he expected a site plan review for Self-storage project at the west end of town for either the February or March meeting.
- Camario. Chain noted that Camario had not yet signed the final documents and that they had not been recorded.
- Rislende. Planner Chain noted that he had had a pre-application meeting with the applicant for a preliminary subdivision plat and expected this to be submitted in the next couple of months.

**Commissioner Comment**

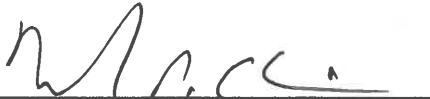
Commissioner Doty noted that he was not sure of the brightness of the signs for the previous sign exception. Chair Williams wanted the staff to know that she thought a good job was done on the Water Treatment Plan meeting the previous night. Managers Centeno noted that the video of the public meeting was going to be posted on Facebook.

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**Adjournment**

**Commissioner Bertaux a motion to adjourn. Commissioner Doty seconded the motion, and the meeting was adjourned at 8:58 PM p.m.**

Respectfully submitted,



Mark Chain  
Planner

Approved by the Planning Commission



Lindsey Williams  
Chair