



PLANNING COMMISSION MINUTES
November 8, 2018

Chair Gary Poole called the meeting to order at 7:00 p.m.

The Planning Commission and audience joined in saying the Pledge of Allegiance.

Also, present were Commissioners Richard Foerster, Kelly Hickler and Eliana Burke. Alternates Tracie Manske, Ruth Ann Nelson and Kimberly Rodell were present and seated for the absent Commissioner Duane Hopkins, the vacant position and the absent Commissioner Erik Frandsen.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

Chair Gary Poole added a discussion for Planning Commission items to elect a Vice Chair and Acting Vice Chair.

APPROVAL OF MINUTES

Commissioner Richard Foerster moved to approve the October 25, 2018 meeting minutes. Commissioner Ruth Ann Nelson seconded; a vote was taken and passed 6:0:1 with Commissioner Eliana Burke abstaining due to being absent from the October 25, 2018 meeting.

CONSENT AGENDA

None

PUBLIC HEARING: OPENED: 7:03 P.M. LINCOLN PROFESSIONAL PARK PROPERTY – Zoning (Continued from 10/25/2018)

Applicant: Kevin Beck, Equity Ventures Commercial Development, L.C.
Location: Southeast Corner of Lincoln Avenue and Dransfeldt Road
Department: Community Development, Stacey Nerger
TRAKiT No.: Z18-017

Stacey Nerger, Planner presented the staff report for the Lincoln Professional Park Property – Zoning. Ms. Nerger concluded with the determinations in the staff report and recommended the Planning Commission recommend Town Council approve the zoning request.

Commissioners had no questions for staff.

APPLICANT PRESENTATION

Jeanne Shaffer, Groundwork Entitlement Services, 3829 Wolff Street, Denver, Colorado 80212 presented:

- an introduction to Kevin Beck, Equity Ventures, the applicant
- the zoning area is eight acres; the eastern property is in the Town of Parker and the western property is currently in Douglas County (to be annexed into the Town of Parker) and both are to be zoned Modified Commercial
- modifications include breweries/distilleries, gas/convenience stores and limitations on drive-thru restaurants
- use by special reviews include drive-thru uses limited to the location of the drive-thru; indoor small engine sales and repair
- other modifications to the zoning include reducing the front setback from 40 feet to 25 feet; increasing the building height limit to 55 feet
- the project meets all nine criteria
- site plan intentions; small retail, restaurants, offices and larger commercial uses

Commissioners discussed with Ms. Shaffer:

- confirmation on the size of the property; *(Ms. Shaffer said the two properties combined are eight acres.)*
- confirmation that drive-thru restaurants will be allowed; *(Ms. Shaffer said drive-thru restaurants may be allowed through a use by special review.)*

Commissioners discussed with staff:

- the building heights allowed in the surrounding zoning; *(Ms. Nerger said the property to the north (Murdoch's) is zoned Modified Commercial with a height limitation of 35 feet; the property to the northwest is zoned Planned Development (PD) within the Parker Auto Plaza PD with allowed heights of 35 to 60 feet; the property to the west is within the Lincoln Meadows PD which allows heights of 45 feet; the property to the south (ET Technologies) is zoned Light-Industrial and allows heights of 35 feet; the property to the east (Walgreens) is zoned straight-commercial and allows for heights of 35 feet.)*
- confirmation that with approval of the Modified Commercial zoning, the 55 foot building height is allowed by right and not by special review; *(Ms. Nerger said that is correct.)*
- if any view sheds would be impeded with allowance of the 55 foot height; *(Ms. Nerger said the backside of existing uses face the subject properties; no views will be blocked with the allowed 55 foot building height.)*
- the number of building stories for a 55 foot building; *(Ms. Nerger said a 55 foot building would allow for three stories with rooftop mechanical screening.)*
- if any public comments for the project had been received; *(Ms. Nerger said none have been received.)*
- if all nine criteria for approval have been met; *(Ms. Nerger said yes, as outlined in the staff report, all nine criteria have been met.)*

PUBLIC COMMENT OPENED

Kenneth Ramsey, 3862 E Elm, Parker, CO 80134 spoke against recommending approval to Town Council with concerns for the environment, water resources and the effects on wildlife.

PUBLIC COMMENT CLOSED

PUBLIC COMMENT REOPENED

Joseph Sandoval, 10753 Pikeview Lane, Parker, CO 80138 spoke with a concern with increased traffic at the intersection of Lincoln Avenue and Parker Road and potential increase in traffic accidents.

PUBLIC COMMENT CLOSED

Commissioner Kim Rodell asked if the properties are privately owned and if ingress/egress and traffic studies would be a part of the site plan process; *(Staff said the properties are privately owned; yes, traffic studies are being provided with a minor development plat, the current right-in/right-out from/to Lincoln Avenue are planned to remain the same; the main access to the subject properties will be from Dransfeldt Road.)*

PUBLIC HEARING: CLOSED: 7:23 P.M. LINCOLN PROFESSIONAL PARK PROPERTY – Zoning (Continued from 10/25/2018)

PLANNING COMMISSION DISCUSSION

Commissioner Eliana Burke said this is a simple annexation; has been in the works for some time; and she had no problem recommending approval to Town Council.

Commissioner Tracie Manske agreed; it brings together the division of the Lincoln corridor; and it is a positive that the commercial development will bring new business and potentially new jobs to the Town of Parker.

Commissioner Richard Foerster said he believed the nine criteria for recommending approval have been met; responses from outside referral agencies indicated approval or no comment which he took as having no objections to the request; and this will help expand the Town's economic base. He supported recommending approval to Town Council.

Commissioner Kelly Hickler agreed; the request is consistent with the Parker 2035 Master Plan and the surrounding uses and she saw no problem with the proposed zoning uses.

Commissioner Ruth Ann Nelson concurred; she said whenever property is annexed into the Town, the Town is required to zone the property concurrent with the annexation; the nine criteria for recommending approval have been met; the request meets the Parker 2035 Master Plan guidelines and she supported recommending approval to Town Council.

Commissioner Kimberly Rodell appreciated all the public comments including the comments regarding wildlife. She said the site is privately owned; the owners wish to develop the property and create consistent zoning compatible with the existing commercial areas. She believed the request is a good fit and she supported recommending approval to Town Council.

Chair Gary Poole agreed; he said this is a logical step toward development of the area; he encouraged staff to work through the traffic and access concerns.

Commissioner Ruth Ann Nelson moved that the Planning Commission recommend the Town Council approve the zoning request. Commissioner Richard Foerster seconded; a vote was taken and passed 7:0.

PUBLIC HEARING: OPENED: 7:27 P.M. NORTON PROPERTY - Zoning

Applicant: Robert and Meredith Norton
Location: Northeast Corner of Pine Drive and Summerset Lane
Department: Community Development, Stacey Nerger
Community Development, Carolyn Parkinson
TRAKiT No.: Z17-005

Stacey Nerger, Planner presented the staff report for the Norton Property – Zoning. Ms. Nerger concluded with the determinations in the staff report and recommended the Planning Commission recommend Town Council approve the zoning request.

Commissioners discussed with staff:

- the number of allowed residential units for the six acres; (*Staff said a minimum density of five-units per acre with a maximum density of 20-units per acre is written into the property zoning.*)
- if the applicant has agreed to the 15-foot height limitation from Pikeview Lane; (*Staff said yes.*)
- if there is a current duplex-developer interested in building on the property; (*Staff said not at this time; when the construction of Summerset Lane was planned a Use and Possession Agreement was entered into by the Town for the annexation and zoning approval.*)
- confirmation that the 65-foot buffer between the property and the existing residential area is to be a landscape buffer; (*Staff said the buffer will be landscaped to meet the requirement of one tree and five shrubs per 25 linear feet of property.*)
- a clarification on horizontally-attached units; (*Staff said multifamily development is allowed in the zoning but not the traditional multifamily; horizontally-attached units have their own outside entrances, like Town and Country townhomes or single-family detached units on smaller lots like patio homes.*)

APPLICANT PRESENTATION

None

Planning Commissioners had no questions for the applicant.

PUBLIC COMMENT OPENED

The following citizens spoke against recommending approval for the zoning with concerns for increased height requirements, for loss of view shed from their homes; commercial and multifamily uses not a good fit adjacent to existing residential; increased traffic; the need for traffic signals; concern with flooding of the detention pond; and increased crime:

- Joseph Sandoval, 10753 Pikeview Lane, Parker
- Sonja Drugan, 10759 Pikeview Lane, Parker
- Charlie Caudill, 20056 Summerset Court, Parker
- Tina Clark, 10751 Pikeview Lane, Parker
- Yekaterina Petrova, 7134 Parker Hills Court, Parker
- Jennifer Green, 10920 Parker Vista Road, Parker
- Janet Tahir, 20039 Briarwood Court, Parker
- Shyam Bevimamara, 7134 Parker Hills Court, Parker
- David Dunn, 6820 Centerpark Loop, Parker

Commissioners discussed with staff:

- the current Douglas County zoning and are there long range plans to annex additional northerly properties; (*Staff said the property is currently zoned Douglas County Agricultural; the Parker 2035 Master Plan depicts properties not in the Town but within an urban growth boundary that could become part of the Town.*)
- confirmation that residential properties are not generally annexed; (*Staff said yes, typically the Town does not annex existing residential subdivisions but there are no guarantees that it wouldn't happen; analysis would need to be done on what the best future use for the property would be.*)
- that future commercial development north of the Norton Property would not likely occur; (*Staff said the Douglas County properties to the north are not in the Town's growth boundary and land uses are not identified for those areas as they are not included within the Parker 2035 Master Plan.*)
- that residential property owners need to petition the Town to be annexed; (*Staff said there are state laws regarding how annexations are to occur.*)
- if there is a current applicant for development of the property; (*Staff said there is no current application with the Town.*)
- if there is a flooding issue; (*Staff said south of the subject property is a regional detention pond on Town property where water may collect.*)
- if a traffic signal is planned for and required at the corner of Summerset Lane and Pine Lane with review of a site plan; (*Staff said yes the road was constructed to have a traffic signal and it will be determined by Public Works when installation of the signal will be completed.*)
- when the traffic study will be completed; (*Staff said before any development can occur, a traffic study is required.*)
- if the existing detention pond is adequate to contain water; (*Staff said the detention pond is of adequate size to contain drainage concerns in the area.*)
- the history of the height of the chimney top restriction; (*Staff said there were some high level agreements in 2008/2009 but not specific to heights, buffers and maintenance of views but no specifics are documented as agreed upon; the existing zoning on the Pine Curve property allows for four-story buildings.*)

- if the applicant's initial approach for development was for commercial and residential uses; *(Staff said there was a collaborative approach between the applicant and the Town with consideration for the existing residential and land uses identified in the Parker 2035 Master Plan; development of the Norton Property is viewed as a transition to the development of Pine Curve and the existing residential properties.)*
- if during review of a future site plan, consideration to lower the height restrictions would be viable; *(Staff said any request for development of the property would have to follow the 15-foot height restriction as stated in the zoning document; site plans are approved administratively through staff and may be heard by the Planning Commission through the push-up provision but the height restriction would still be required.)*
- if reducing the height restriction would be unreasonable for development of the property; *(Staff said it would depend on the grading for the site; 15 feet is the minimum height for a one-story building so development of a structure less than 15 feet would probably not be possible.)*
- if any other zoning was considered for this property; *(Staff said all zone districts were considered and reviewed but the proposed zoning was determined as it meets the intent of the Parker 2035 Master Plan land use guidelines.)*
- if it is possible to exclude the gas/convenience store uses from the zoning; *(Staff said the Modified Commercial zoning request allows gas/convenience store as a use-by-right for the property as negotiated for construction of Summerset Lane but restriction of the use may be a condition of approval by the Planning Commission.)*

PUBLIC COMMENT CLOSED

PUBLIC HEARING: CLOSED: 8:08 P.M. NORTON PROPERTY - Zoning

PLANNING COMMISSION DISCUSSION

Commissioner Richard Foerster said the duties of the Planning Commission regarding the zoning request are to make sure the nine criteria for recommending approval are met and that the referral agency comments are for approval or have no objectionable comments. He said all the public objections to height restrictions, water, traffic, etc. are for consideration in the next development steps. He supported recommending approval of the zoning to Town Council.

Commissioner Ruth Ann Nelson was concerned with approving the zoning as written with the 15-foot height restriction as a use-by-right. She would like to consider conditions for approval.

Commissioner Eliana Burke agreed to consider imposing conditions regarding height and allowed uses.

Commissioners discussed property rights, growth and traffic; and agreed to conditionally recommend approval to Town Council.

Commissioner Ruth Ann Nelson moved that the Planning Commission recommend the Town Council approve the zoning request subject to the following conditions:

- reduce the height plane to zero feet above the center line of Pikeview Lane and allow for 15 feet above Pikeview Lane as a use by special review;
- to remove freestanding gas canopy; with or without a gas station and convenience store as a use by right and make them allowed as a use by special review;

Commissioner Eliana Burke seconded; a vote was taken and passed 6:1.

RESOLUTION NO. 18-088: OPENED: 8:22 P.M. - A Resolution to Adopt an Update of the Parker 2035 Master Plan

Applicant: Town of Parker

Location: Townwide

Department: Community Development, Carolyn Washee-Freeland

Carolyn Washee-Freeland, Planner, presented the staff report for the update to the Parker 2035 Master Plan. Ms. Washee-Freeland concluded with the determinations in the staff report and recommended the Planning Commission recommend Town Council adopt the update of the Parker 2035 Master Plan.

Commissioners had no questions for staff.

Commissioners thanked staff for their phenomenal work and were pleased with the proposed updates.

APPLICANT PRESENTATION

Staff presentation only.

PUBLIC COMMENT OPENED

None

PUBLIC COMMENT CLOSED

RESOLUTION NO. 18-088: CLOSED: 8:29 P.M. - A Resolution to Adopt an Update of the Parker 2035 Master Plan

PLANNING COMMISSION DISCUSSION

Commissioner Eliana Burke said this is a natural next step; it is a good revision that addresses additional open space; and she thanked staff for the work.

Commissioner Kelly Hickler said this amendment is straight-forward; administrative; she had no issues.

Commissioner Richard Foerster said the revisions are necessary for better clarification.

Commissioner Tracie Manske agreed.

Commissioner Ruth Ann Nelson concurred.

Commissioner Kimberly Rodell had nothing to add.

Chair Gary Poole supported all the efforts of staff on behalf of the Town in keeping the document up to date and making it a living, breathing thing.

Commissioner Eliana Burke moved that the Planning Commission recommend the Town Council adopt an update of the Parker 2035 Master Plan. Commissioner Richard Foerster seconded; a vote was taken and passed 7:0.

PLANNING COMMISSION ITEMS

Chair Gary Poole led the nominations for Vice Chair and Acting Vice Chair.

The Commissioners discussed nominating Duane Hopkins as Vice Chair.

The Commissioners voted unanimously for Duane Hopkins to be Vice Chair.

Commissioner Ruth Ann Nelson nominated Commissioner Richard Foerster and Commissioner Eliana Burke for Acting Vice Chair; a vote was taken and Commissioner Eliana Burke was voted-in as Acting Vice Chair.

STAFF ITEMS

A. REQUEST FOR SPECIAL STUDY SESSION - November 29, 2018 - 5:30 p.m.

Bryce Matthews, Planning Manager, presented the request for a special study session on November 29, 2018 at 5:30 p.m. for the Planning Commission to participate in stakeholder interviews for the upcoming Land Development Ordinance modernization updates.

Commissioner Eliana Burke moved to approve the addition of a special study session on November 29, 2018 at 5:30 p.m. Commissioner Kelly Hickler seconded; a vote was taken and passed 6:1; with Commissioner Richard Foerster voting no due to not being available to attend the meeting on November 29, 2018.

B. APPROVAL OF 2019 PLANNING COMMISSION MEETING DATES

Rosemary Sietsema, Recording Secretary, presented the proposed 2019 Planning Commission meeting schedule.

Commissioner Ruth Ann Nelson moved to approve the 2019 Planning Commission meeting schedule. Commissioner Tracie Manske seconded; a vote was taken and passed 7:0.

Ms. Sietsema agreed to send a best wishes card to John Howe on behalf of staff and the Planning Commission.

ADJOURNMENT

The meeting was adjourned at 8:44 p.m.

A handwritten signature in blue ink that reads "Rosemary Sietsema". The signature is written in a cursive style and is positioned above a horizontal line.

Rosemary Sietsema
Recording Secretary

A handwritten signature in blue ink that reads "Gary Poole". The signature is written in a cursive style and is positioned above a horizontal line.

Gary Poole
Chair