PLANNING COMMISSION MEETING

7:00 PM

May 9, 2019

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **ADDITIONS TO OR DELETIONS FROM THE AGENDA**

5. **APPROVAL OF MINUTES**

   April 25, 2019 Meeting Minutes

6. **PUBLIC HEARINGS**

   JACKALOPE PLANNED DEVELOPMENT AMENDMENT NO. 1 - Rezoning

Applicant:	**Marley Hodgson, Jackalope Properties, LLC**
Location:	**Southeast Corner of Parker Road and Cockriel Drive**
Department:	**Community Development, Stacey Nerger**
TRAKiT No.:	**Z18-026**

7. **PUBLIC MEETINGS**

   DRAFT ORDINANCE - An Ordinance to Amend Section 13.04.150 of the Parker Land Development Ordinance Concerning the Rezoning of Areas From All Other Zoning Districts to PD-Planned Development

Applicant:	**Town of Parker**
Location:	**Townwide**
Department:	**Community Development**

8. **PLANNING COMMISSION ITEMS**

9. **STAFF ITEMS**

10. **ADJOURNMENT**

PLANNING COMMISSION MINUTES
April 25, 2019

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 Duane Hopkins, Richard Foerster, Kelly Hickler, Eliana Burke and Erik Frandsen. Alternate Kimberly Rodell was present and seated for the vacant position. Alternate Tracie Manske was present; Alternate Ruth Ann Nelson was absent.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

APPROVAL OF MINUTES

Commissioner Duane Hopkins moved to approve the April 11, 2019 meeting minutes. Commissioner Kelly Hickler seconded; a vote was taken and passed 7:0.

PUBLIC HEARING: OPENED: 7:04 P.M. UNPLATTED TRACT PARKER PLAZA SHOPPING CENTER – Rezoning (Continued from 3.28.19)

Applicant: Tom Dermody
Location: Northwest Corner of Parker Road and Plaza Drive
Department: Community Development, Carolyn Parkinson
TRAKiT No.: Z18-014

Carolyn Parkinson, Planner, presented the staff report for the Parker Plaza Shopping Center - Rezoning. Ms. Parkinson concluded with the determinations in staff s report and recommended the Planning Commission recommend that Town Council approve the rezoning request.

Commissioners discussed with staff:

- that the current use is allowed and wants to expand; (*Staff said yes, the use is allowed and currently is about 3500 square feet and they wish to expand*.)
- if the proposed rezoning is for the existing use only; (*Staff said no, the rezoning will allow for all assembly uses up to 10 thousand square-feet*.)

APPLICANT PRESENTATION

Tom Dermody, Cactus Moon Parker LLC, 3841 Colorful Lane, Castle Rock, CO 80109 presented:

- Parker Plaza Shopping has been in existence since before the Town of Parker was incorporated

DRAFT

- Parker Core Knowledge began at this location; then Sunshine Learning Center and now Little Blessing Pre-School
- the request allows assembly uses but should take care of the continued pre-school use, as the infrastructure already exists

Planning Commissioners discussed with the applicant:

- the size of the lower part of the building; (*Mr. Dermody said its about 10 thousand square-feet.*)
- the length of the leases; (*Mr. Dermody said the leases are for five years; the current use is going on three and one-half years and requested the expansion to continue with the lease.*)

PUBLIC COMMENT OPENED

None

PUBLIC COMMENT CLOSED

PUBLIC HEARING: CLOSED: 7:14 P.M. UNPLATTED TRACT PARKER PLAZA SHOPPING CENTER – Rezoning (Continued from 3.28.19)

PLANNING COMMISSION DISCUSSION

Commissioner Duane Hopkins said the request meets the nine criteria for continuance of a use that is appropriate for the Town; he supported recommending approval to Town Council.

Commissioner Richard Foerster said the request meets the nine criteria for recommending approval; increasing the square-footage opens up the flexibility for other uses. He supported recommending approval to Town Council.

Commissioner Kelly Hickler agreed; said the existing use makes sense; and she supported recommending approval to Town Council.

Commissioner Kimberly Rodell agreed; said it may be the plaza the Town forgot but everyone knows where it is; it is great to see the space used and a business thrive. She supported recommending approval to Town Council.

Commissioner Eliana Burke agreed.

Commissioner Erik Frandsen agreed.

Chair Gary Poole agreed.

Commissioner Eliana Burke moved that the Planning Commission recommend that Town Council approve the Parker Plaza Shopping Center rezoning. Commissioner Erik Frandsen seconded; a vote was taken and passed 7:0.

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PLANNING COMMISSION ITEMS
None

STAFF ITEMS
None

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ADJOURNMENT
The meeting was adjourned at 7:17 p.m.

_____ _____

Rosemary Sietsema
Recording Secretary

Gary Poole
Chair

Planning Commission Staff Report

Planning Commission Date:	**5/9/2019**
Town Council Date:	**6/3/2019**
Hearing Type:	**Public Hearing** **JACKALOPE PLANNED DEVELOPMENT AMENDMENT NO. 1 - Rezoning** **TRAKiT No.: Z18-026**
Location:	**South of Cockriel Drive and east of Parker Road**
Project Planner:	**Stacey Nerger, Planner**
Applicant:	**Marley Hodgson, Jackalope Properties, LLC**
Executive Summary:	**The applicant is proposing a Planned Development (PD) Amendment on Lot 1 and Tract A of the Jackalope Subdivision. The proposed Jackalope PD Amendment would amend the uses permitted on the site to allow for a broader range of commercial uses including a hardware store and garden center. The property is located on the east side of Parker Road south of the intersection with Hess Road.**
Staff Recommendation:	**Approval**

RECOMMENDED MOTION

"I move the Planning Commission recommend Town Council approve the Jackalope Planned Development Amendment No. 1."

ALTERNATIVE MOTIONS

"I move that the Planning Commission recommend that Town Council approve the Jackalope Planned Development Amendment No. 1, subject to the conditions contained in this staff report."

"I move that the Planning Commission recommend that Town Council deny the Jackalope Planned Development Amendment No. 1 as the request does not meet the following approval criteria:"
-List criteria not met (either by staff or Planning Commission)

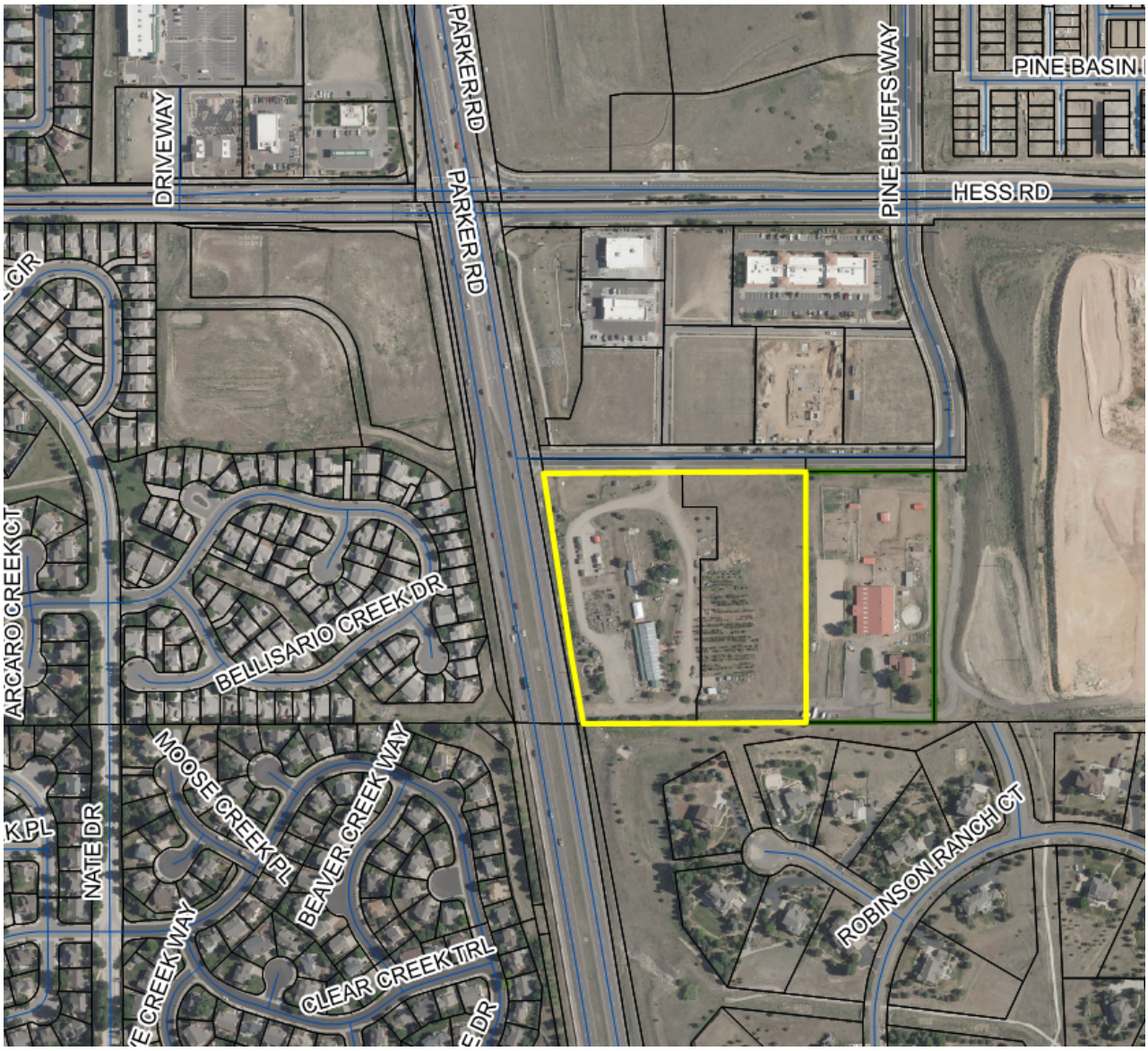
"I move that the Planning Commission vote to continue the Jackalope Planned Development Amendment No. 1 to a future date."

I. BACKGROUND/DISCUSSION

The intent of this rezoning is to allow for a larger range of retail and commercial uses including allowing for a hardware store and garden center. The intent of the original Jackalope PD was to provide a commercial retail facility with permitted uses from retail, office and restaurant. The proposed PD Amendment will expand the uses allowed on the property to include those listed as uses permitted by right within the C-Commercial Zone District within the Town, as well as add accessory uses, definitions and development standards which pertain to a proposed neighborhood hardware store and garden center. The applicant has also submitted a replat and site plan amendment for a proposed hardware store and garden center. The replat and site plan amendment are currently under review and cannot be approved until such time the rezoning has been acted upon by Town Council.

Vicinity Map

II. PRIOR ACTIONS



Date	Action

July 7, 1997	The property was originally annexed as part of the Jackalope Planned Development.
July 7, 1997	Town Council approved the Jackalope Minor Development Plat.
May 22, 1997	The Planning Commission approved the Jackalope Site Plan to convert the existing Cockriel Stables into an outdoor market and to use the existing building for retail sales.
April 23, 2003	An administrative Site Plan Amendment was approved to revise the landscaping to include a water feature and hardscape.

III. CURRENT SITE DATA

Existing Zoning	PD - Planned Development
Overlay District	N/A
PD & Plan Area	Jackalope Planned Development
Master Plan Area	Neighborhood Center
Site Acreage	9.038 acres
Subdivision	Jackalope
Existing Use	Commercial

Surrounding Uses

	Master Plan Land Use	Zoning	Existing Use
North	Neighborhood Center	PD - Planned Development	Robinson Ranch Planned Development, Commercial/Vacant and Gas Station Under Construction
South	Low Density Residential	PD - Planned Development	Robinson Ranch Planned Development, Single-Family Detached
East	Neighborhood Center	Douglas County Zoning	Agriculture, Cockriel Farms
West	Medium Density Residential	PD - Planned Development	Stroh Ranch Planned Development, Single-Family Detached Across Parker Road

IV. PARKER 2035 MASTER PLAN

Parker 2035 Master Plan | Town of Parker - Official Website

MASTER PLAN CONSISTENCY

Master Plan Designation	Neighborhood Center ☒ **Consistent** ☐ **Inconsistent**
Master Plan Character Discussion	Serve the basic needs of the surrounding residents. Typical uses include convenient retail and personal/business services usually anchored by a grocery store. Other compatible uses such as small offices, recreational uses and restaurants are also permitted. The total Gross Leasable Area for the commercial/office components within an entire Neighborhood Center should range from a combined 50,000 to 250,000 square feet. Higher density residential is appropriate as a transition between less intense residential areas and non-residential areas when developed as part of a mixed-use development and when the design encourages residents to walk or bicycle. Typical garden style apartment designs are not appropriate.
Consistent Goals/Strategies	Land Use 1.C Community Appearance and Design 2.B
Staff Analysis	Staff has reviewed the proposed expansion of allowed uses against the Town's master plan and determined that the proposal is consistent with the master plan. The expansion of the allowed uses on the property allows for greater conformance with the commercial land use under the neighborhood center designation.

V. LAND DEVELOPMENT ORDINANCE

DEVELOPMENT POTENTIAL (Rezonings)			
Provisions	**As recommended by the Master Plan**	**Proposed**	**Analysis**
Units Per Acre	Higher density residential is appropriate within Neighborhood Centers.	None	☒ Consistent ☐ Inconsistent ☐ No Change ☐ N/A
Allowed Uses	Convenient retail and personal/business services, grocery, small offices, recreational uses and restaurants.	Convenient retail and personal/business services, offices, recreational uses and restaurants.	☒ Consistent ☐ Inconsistent ☐ No Change
Height/Stories	None	35 feet	☒ Consistent ☐ Inconsistent ☐ No Change

Staff Analysis	The proposed Planned Development Amendment meets the Town's Master Plan Goals and Strategies for Commercial Development at Neighborhood Centers within the Town. The proposed expansion of uses will align with the Town's Commercial Property Vision while allowing for the applicant's desire to construct a hardware store and garden center.

VI. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

The property has been developed with one full movement access point off Cockriel Drive which aligns with access to the Robinson Ranch commercial area located to the north. Internal drive aisles within the development will be constructed as approved through an administrative site plan amendment.

VII. APPROVAL CRITERIA

Title 13.04.240.f. Approval Considerations for Rezoning Requests:

1. A need exists for the proposal.

   Applicant's Response

   The current site is within the Jackalope PD, which was written in 1997 and requires Rezoning for any increase in the retail square footage. Although this PD allows for commercial retail and recreational use, it does not include the all uses this project is proposing and restricts the permissible retail area to a building footprint that is not conducive for uses other than the current market. The Big Tool Box will provide a hardware store, tool, equipment and U-Haul rental facility, indoor & outdoor greenhouse and garden center, outdoor retail area for plants garden center related products, a small engine repair shop, a pad for Food Trucks and small accessory building sales area (Tuff Shed). The proposed use increases the existing 5,800 sq ft to approximately 29,000 sq ft inclusive of the greenhouse. The PD Amendment zoning will allow for these proposed changes to the site.

   Staff Analysis

   The Jackalope PD was created in 1997 and was written to allow for a variety of commercial uses. The proposed rezoning will not change the commercial nature of the property, but will expand the commercial uses to be consistent with the Town's Commercial Property Vision while allowing for the applicant's desire to construct a hardware store and garden center.

   Based on this analysis, staff has determined that the request meets this criterion.

2. The particular parcel of ground is indeed the correct site for the proposed development.

   Applicant's Response

   This parcel is very well suited for the proposed development. Topographically, it is slightly oriented uphill and will not require excessive grading. The proposed uses are in high demand by the existing surrounding communities and for future developments. The roads, streets and intersections surrounding the property are all recently improved and provide for great access to the site and ease of use by the public. The existing PD already allows for most commercial uses including many of our proposed uses and

some of which that are already operating at the site.

Staff Analysis
The property is located adjacent to Parker Road and within the Neighborhood Center Designation of the Master Plan. The property has been used for commercial purposes for the last 22 years. The proposed rezoning will not change the commercial use of the property but expand the commercial uses allowed on the property to be consistent with the Town's Commercial Vision.

Based on this analysis, staff has determined that the request meets this criterion.

3. There has been an error in the original zoning; or
Applicant's Response
The existing PD won't allow for more than the existing 5,800 square feet of retail. In order to achieve any financial feasibility this needs to be increased as proposed.

Staff Analysis
An error has not occurred within the original zoning.

Based on this analysis, staff has determined that the request meets this criterion.

4. There have been significant changes in the area to warrant a zone change.
Applicant's Response
The surrounding area is zoned as PD Commercial and Residential which hasn't changed. However, with the increased development and growth of Parker and its surrounding communities, this particular site can be better used to provide needed retail and services to the community. The existing zoning will not allow for that due to some limits on use and due to the requirement to rezone to increase the retail square footage as proposed.

Staff Analysis
The property has been zoned for commercial uses for several years, however, until recently the commercial areas have sat mostly vacant. As development and growth have occurred over the past several years, commercial development in this area has increased. The proposed rezoning will update the list of permitted uses to current commercial demands.

Based on this analysis, staff has determined that the request meets this criterion.

5. Adequate circulation exists and traffic movement would not be impeded by development; and
Applicant's Response
The entrance/exit to the proposed site will be off Cockriel Drive, which is a fully established road that intersects with S Parker Road. There are both deceleration and acceleration lanes currently in place at the intersection of Parker Road Northbound and Cockriel Drive. Access to and from Parker Road Southbound and Hess Road will be via Pine Bluffs Parkway which intersects with Hess Road at a full movement, lighted intersection that was recently improved to allow for the additional retail and

commercial uses planned for and already in existence in the immediate area. These access points are good, sufficient for the proposed project and will not impede traffic.

Staff Analysis

The property was developed to include one full movement access point off of Cockriel Drive. This access point allows customers to access a right-in/right-out at Parker Road or a full movement signalized access point at Hess Road through the Robinson Ranch commercial area. The applicant has provided a traffic study which has been reviewed and determined to be sufficient for the proposed commercial uses on the property.

Based on this analysis, staff has determined that the request meets this criterion.

6. Additional municipal service costs will not be incurred which the Town is not prepared to meet.

Applicant's Response

The site already has the municipal services that are needed to support the proposed project. The surrounding roadways are fully improved and provide adequate access to the proposed site.

Staff Analysis

The property was annexed into the Town in 1997. The proposed rezoning would not require any additional municipal services which are not currently provided by the Town to the property.

Based on this analysis, staff has determined that the request meets this criterion.

7. There are minimal environmental impacts or impacts can be mitigated.

Applicant's Response

The existing site already contains native grass, healthy landscaping, and does not appear to show any signs of negative environmental impacts. The proposed project will replace the older buildings with facilities and site improvements that are modern and adhere to current building, environmental and design codes/standards. Due to the existing topography and good soil conditions, grading and over excavation will be minimized allowing for less environmental impact.

Any mature trees that need to be removed (does not appear to be very many) to allow for the proposed development will be replaced in other areas of the site in accordance with applicable landscape mitigation requirements.

Staff Analysis

The original commercial use on the property commenced in 1997 which utilized existing buildings from the Cockriel Farm. The developer is proposing to remove all existing building and improvements on the site through a Site Plan Amendment. The applicant will work with the Town of Parker Engineering Department to ensure any environmental impacts are mitigated. The proposed rezoning will not change the size or overall character of the commercial area and will not create additional environmental impacts.

Based on this analysis, staff has determined that the request meets this criterion.

8. The proposal is consistent with the Town Master Plan, maps, goals, and policies.
Applicant's Response
The proposed project follows the Town's Master Plan maps, goals and policies. The proposed use will serve to revitalize and improve this important site that sits along Parker Road providing amenities for Parker and the surrounding communities. The proposed use will create a significant amount of jobs of several types. Retail sales associates, master gardeners, certified horticulturalists, retail managers and mechanics are among the types of jobs that will be created in both full and part-time varieties. At maturity, it is expected that the project will create 100-130 full and part-time jobs. In addition to full-time and skilled positions, the Big Tool Box also provides significant opportunities for the community in the form of first time job opportunities for high school, college aged kids and others mainly during the weekends, summers and holidays.

Staff Analysis
The Town of Parker master plan identifies this property as a Neighborhood Center which is recommended to serve the basic needs of the surrounding residents with convenient retail and personal/business services. The proposed rezoning of the property to expand the allowed commercial uses is consistent with the Town's master plan.

Based on this analysis, staff has determined that the request meets this criterion.

9. There is adequate waste and sewage disposal water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.
Applicant's Response
The existing site already contains waste and sewage disposal as well as water service. These utilities will be used and updated for the proposed project. A storm water detention pond is already in existence and will be improved and updated as necessary. The proposed plan also allows for a gathering place for shoppers and their families as well as staff to eat and take breaks. This is in the form of a food truck pad and adjacent picnic area and gazebo type structure.

Staff Analysis
The property is included within the Parker Water and Sanitation District. The proposed hardware store and garden center will require review and approval from Parker Water and Sanitation District to ensure compliance with their standards and requirements at the time of Site Plan Amendment. In addition, the proposed rezoning will not change the properties designation as commercial, which will result in no additional impact to schools, parks and open space or any other services.

Based on this analysis, staff has determined that the request meets this criterion.

VIII. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
Parker Engineering	No Comment
Fire Life Safety	No issue with the proposed rezoning, comments specific to the site will be addressed at the time of Site Plan Amendment.
Aztec Consultants	No Comment
Parker Water and Sanitation District	Approved
Parker Building	No Comment
Douglas County Assessors	No Comment
Xcel	PSCO has no objection to this proposed rezone, contingent upon PSCO's ability to maintain all existing rights.
IREA	The Association has existing underground/overhead electric facilities on the property. The overhead power lines will need to be converted to underground electric as required by the Town's Land development Ordinance and additional easements will be required. - These easements and undergrounding will be reviewed and required at the time of Replat.
CenturyLink	No Comment
Comcast	No Comment
Parker Economic Development	Approved
Parker Comprehensive Planning	The proposed rezoning is compliant with the 2035 Master Plan.
Colorado Department of Transportation	A right-in/right-out access permit exists for the access at Cockriel Drive. Any construction or work within the CDOT right-of-way will require a Special Use Permit issued by the Department.
Town of Parker Police	No Comment
Robinson Ranch HOA	No Comment
Stroh Ranch HOA	No Comment
Magellan Pipeline	No Comment

IX. CONCLUSION

The applicant submitted this rezoning request in order to expand the uses on the property to be consistent with the C- Commercial zone district within the Town as well as allow a future hardware store and garden center. The proposed rezoning is consistent with the Parker 2035 Master Plan Amendment as it meets the goals and strategies for commercial development at Neighborhood Centers within the Town. Based on this information staff is recommending approval of the rezoning to Jackalope PD Amendment No. 1.

X. RECOMMENDED CONDITIONS

None

XI. ATTACHMENTS

1. DRAFT Ordinance
2. Referral Agency Comments

Report Approved By: Bryce Matthews, Planning Manager

Through: Jason Rogers, Deputy Community Development Director

ORDINANCE NO. 3.113.1 , Series of 2019

TITLE: A BILL FOR AN ORDINANCE TO AMEND THE JACKALOPE PLANNED DEVELOPMENT GUIDE AND PLAN, PURSUANT TO THE TOWN OF PARKER LAND DEVELOPMENT ORDINANCE, AND AMENDING THE ZONING ORDINANCE AND MAP TO CONFORM THEREWITH

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Finding of Fact.

a. Application has been made for amending the PD-Planned Development zoning for the Jackalope Planned Development Guide and Plan, approved by the Town Council on July 7, 1997, and recorded in the Office of the Douglas County Clerk and Recorder's Office on November 20, 1997, at Book 1486, Page 0232, pursuant to the Town of Parker Land Development Ordinance.

b. Public notice has been given of such zoning by publication on the Town's website at least fifteen (15) days prior to the public hearing of such zoning.

c. Written notice was sent by first class mail to all owners of property that abut the Property, at least fifteen (15) days prior to the public hearing.

d. Notice of such proposed hearing was posted on the Property for fifteen (15) consecutive days prior to said hearing.

e. The requirements contained in Section 13.04.240(b) of the Parker Land Development Ordinance for amending the PD-Planned Development zoning the property described in **Exhibit A,** which is attached hereto and incorporated by this reference (the "Property"), have been satisfied.

Section 2. The Jackalope Planned Development Guide and Plan for the Property is hereby amended as provided in the "Jackalope Planned Development Guide and Plan 1st Amendment," which is attached hereto as **Exhibit B** and incorporated by this reference (the "First Amendment").

Section 3. The Zoning Ordinance and Zoning Map are hereby amended to conform with the zoning change to the property.

Section 4. Approval of this Ordinance does not create a vested property right. Vested property rights may arise and accrue pursuant to the provisions of Ordinance No. 3.65.1, as amended, of the Town of Parker.

Section 5. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it

is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 6. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 7. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this _____ day of _____, 2019.

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this _____ day of _____, 2019.

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

_____
James S. Maloney, Town Attorney

DRAFT

EXHIBIT A

Legal Description

Legal Description for 12450 South Parker Road, Parker, CO 80134:

A parcel of land being a part of the northeast quarter of the northeast quarter (NE1/4, NE1/4) of Section 34, Township 6 South, Range 66 West, of the Sixth Principal Meridian, County of Douglas, State of Colorado, being more particularly described as follows:

Commencing at the southeast corner of said NE1/4, NE1/4 of Section 34;

Thence along the southerly line of said NE1/4, NE1/4, South 89°41'32" West, 325.00 feet, to the true point of beginning;

Thence parallel with the easterly line of said NE1/4, NE1/4, North 00°10'59" West, 670.16 feet;

Thence parallel with the southerly line of said NE1/4, NE1/4, South 89°41'32" West, 673.81 feet, to the easterly right-of-way (ROW) line of State Highway 83 as described in Book 1047 at page 908;

Thence along said easterly ROW line, South 08°45'20" East, 507.17 feet;

Thence continuing along said easterly ROW line, South 10°34'05" East, 171.23 feet, to the southerly line of said NE1/4, NE1/4;

Thence along said southerly line, North 89°41'32" East, 567.35 feet, to the true point of beginning. Containing 393,624 SF (9.041 AC), more or less.

EXHIBIT B

Jackalope

Planned Development Guide 1st Amendment

March 6, 1997

1st Amendment June 3, 2019

Jackalope

Planned Development Guide

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GENERAL PROVISIONS:

I. PURPOSE:

This development guide sets forth land uses and development standards for the Jackalope Subdivision, a planned development in the Town of Parker, Colorado. It shall regulate the use of the land, define certain terms and clarify the zoning procedures.

The Jackalope Subdivision is comprised of approximately 9.6 acres. The comprehensive development of this parcel in response to certain opportunities and constraints will contribute to an orderly, balanced and quality addition to the Town of Parker.

II. INTENT:

It is the intent of this Development Guide to provide areas for businesses providing convenience retail and personal service uses and/or for wholesale and service commercial uses with minimal assembly or manufacturing activities.

III. APPLICATION:

The standards and regulations contained in this Development Guide shall apply to the Property. The standards and regulations contained in this Development Guide may be divergent from the standards and regulations contained in Chapter 13.04 of the Parker Land Development Ordinance, but not any other Chapter of the Parker Land Development Ordinance. In the event that there is a conflict between the standards and regulations contained in this Development Guide (excluding Chapter 13.04) then the Parker Land Development Ordinance shall control.

IV. CONTROL:

After the adoption of this Development Guide by the Town Council of the Town of Parker, subject to the provisions of Section 13.04.230 of the Parker Land Development Ordinance (Non-Conforming Situations), the standards and regulations contained in this Development Guide, in conjunction with the Town of Parker Land Development Ordinance, as provided herein, shall control development, land use, the location and bulk of all buildings and other structures, existing and future, and shall also apply to the following:

A. Any new building or other structure, and any parcel of land, or land use;

B. The use of any existing building, other structure or parcel of land may be changed or extended;

C. Any existing building or other structure, if such building or other structure is to be enlarged, reconstructed, structurally altered, converted or relocated.

D. All standards and regulations set forth or referred to in the standards and regulations for the planning area in which such buildings and other structures are located.

V. INCORPORATION OF DEVELOPMENT PLAN:

The Jackalope development, including the type, location and boundaries of land use areas are shown upon the "Jackalope Development Plan" (hereinafter referred to as "Development Plan)", which Development Plan is hereby incorporated by reference into this Development Guide together with everything shown thereon and all amendments thereto.

VI. CONFLICTS:

Where there is more than one provision within the Development Guide that covers the same subject matter, the provision which is most restrictive or imposes higher standards or requirements shall govern unless determined otherwise by the Community Development Director.

AUTHORITY

I. AUTHORITY

The authority for this PD Development Guide is Section 13.04.150 (PD-Planned Development) of the Town of Parker Land Development Ordinance.

II. ADOPTION:

The adoption of this Development Guide and Development Plan by ordinance shall evidence the findings and decisions of the Town of Parker Town Council that this Development Guide and Development Plan for the Jackalope Planned Development is authorized by the provisions of Section 13.04.150 of the Town of Parker Land Development Ordinance.

III. ENFORCEMENT:

The provisions of the Development Guide relating to the use of land shall run in favor of the Town of Parker and shall be enforceable, at law or in equity, by the Town of Parker without any limitation on any power or authority otherwise granted by law. All provisions of this Development Guide shall run in favor of the owners of the Property to the extent expressly provided in this Development Guide and in accordance with its terms and conditions.

COMMERCIAL DEVELOPMENT STANDARDS

I. PURPOSE:

Provide areas for businesses providing convenience retail and personal service uses and/or for wholesale and service commercial uses with minimal assembly or manufacturing activities.

II. DEFINITIONS:

Commercial Retail is an establishment engaged in selling goods and/or merchandise to the general public at retail for personal or household consumption and rendering services incidental to the sale of such goods and/or merchandise.

Small engine motorized equipment: A small-displacement, single cylinder or twin cylinder four stroke/cycle, low-powered internal combustion engine (or electric motor equivalent) used to power lawn mowers, generators, concrete mixers, snow blowers, chain saws, string trimmers, utility vehicles (UTV's), and many other machines that require independent power sources.

Medium engine motorized equipment: medium and light duty farm, landscaping and recreational equipment generally under 100 horsepower including small tractors, skid loaders, ATVs, golf carts, and similar motorized equipment

Rental Vehicles: Pick-up trucks, trailers, cargo vans, box/moving trucks (up to 26' long), small engine motorized equipment, medium engine motorized equipment.

III. USES PERMITTED BY RIGHT:

A. The following uses shall be permitted as a matter of right:

1. Offices: general, medical, dental, professional and governmental
2. Public and quasi-public facilities
3. Greenhouses, nurseries (plants) and garden centers, wholesale and retail
4. Banks
5. Commercial Retail
6. Personal Services
7. Bars and Lounges
8. Dry Cleaning
9. Indoor amusement and recreational facilities up to 3,500 square feet
10. Instructional Services/studios up to 3,500 square feet
11. Health club, gym or fitness center up to 3,500 square feet
12. Child care facility up to 3,500 square feet
13. Restaurants including drive-thru or carry-out
14. Retail display and sale of storage sheds and similar structures
15. Outdoor commercial display, including storage of inventory, subject to the design standards listed within Section VII of this document
16. Auto parts stores

17. Brewery/distillery
18. Public parks, playgrounds, open space and outdoor recreation areas

IV. ACCESSORY USES:

The following uses shall be allowed which are incidental and subordinate to the principal use of the land or building on the property:

A. Food trucks, vendor stands and commercial kiosks, subject to Section 13.04.215, as amended of the Parker Land Development Ordinance.
B. Motor vehicles: sales, leasing, rental servicing and repair of Rental Vehicles as an accessory activity
C. Indoor small and medium engine motorized equipment sales and repair – Not to exceed 35% of the total building area on the property
D. Uses that are similar in nature and impact to those listed within the uses permitted by right shall be allowed as determined by the Community Development Director

V. USES PERMITTED BY SPECIAL REVIEW:

The following uses shall be allowed with a Use by Special Review:

A. Automobile service, including repairs
B. Convenience Store with or without gas station or car wash
C. Tire repair shops
D. Veterinary clinics and hospitals
E. Observation kennels and pet day care

VI. DEVELOPMENT STANDARDS:

A. Maximum Building Height: 35 feet
B. Minimum Front Yard Setback:
    1. Parker Road - 25 feet for permanent enclosed structures
    2. Cockriel Drive -25 feet for permanent enclosed structures
C. Minimum Side Yard Setback: 10 feet, except when adjoining a residential zone district, 25 feet for permanent enclosed structures (excluding perimeter fencing, walls or other enclosures for any garden center or nursery)
D. Minimum Rear Yard Setback: 10 feet, except when adjoining a residential zone district, 25 feet for permanent enclosed structures (excluding perimeter fencing, walls or other enclosures for any garden center or nursery)
E. Outdoor Commercial Display: 10 feet from Parker Road and Cockriel Drive, 25 feet when adjoining a residential zone district. Proper screening and buffer requirements shall apply as approved on a Site Plan.
F. Storage areas: 50 feet from Parker Road and Cockriel Drive, 75 feet when adjoining a residential zone district. Proper screening and buffer requirements shall apply as approved on a Site Plan.

VII. OUTDOOR COMMERCIAL DISPLAY AREAS:

Allowed as outlined within Section 13.04.120 (d) (11), supplemented as follows:

A. Outdoor commercial display shall occur only within the designated areas approved as part of the approved site plan and shall not comprise more than thirty-five percent (35%) of the total land area of the property.

B. Any outdoor commercial display areas that are not enclosed with a fence, wall or other perimeter enclosure shall be identified by a permanent marking material, identifying the entire outdoor display area, as shown on the approved site plan for the property.

C. The use of semi-trailers or temporary buildings (other than as provided in Section III.B. above) shall not be permitted on a permanent basis. All temporary uses shall comply with Chapter 13.04.210 of the Town of Parker Land Development Ordinance, as amended; provided, however that promotional events shall not exceed five thousand (5,000) square feet and shall not exceed a duration of ninety (90) days.

JACKALOPE DEVELOPMENT PLAN 1ST AMENDMENT

12450 SOUTH PARKER ROAD
LOT 1, BLOCK 1 & TRACT A, JACKALOPE SUBDIVISION, FILING NO. 1
SECTION 34, TOWNSHIP 6 SOUTH, RANGE 66 WEST
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

LEGAL DESCRIPTION

A PORTION OF LOT 1, BLOCK 1 AND A PORTION OF TRACT A, JACKALOPE SUBDIVISION, FILING NO. 1, PUBLIC RECORDS OF DOUGLAS COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EAST LINE OF TRACT A, JACKALOPE SUBDIVISION, FILING NO. 1, PUBLIC RECORDS OF DOUGLAS COUNTY, COLORADO AS BEARING N 00°16'57" E WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

BEGIN AT THE SOUTHEAST CORNER OF TRACT A, JACKALOPE SUBDIVISION, FILING NO. 1, PUBLIC RECORDS OF DOUGLAS COUNTY, COLORADO;
THENCE N 00°16'57" E FOR A DISTANCE OF 634.74 FEET ALONG THE EAST LINE OF SAID TRACT A TO THE SOUTH LINE OF RECEPTION NO. 2013070277;
THENCE N 89°46'42"W FOR A DISTANCE OF 668.62 FEET ALONG SAID SOUTH LINE TO THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 83 AS DESCRIBED IN BOOK 1047, PAGE 908, ALSO BEING THE WEST LINE OF LOT 1, BLOCK 1, SAID JACKALOPE SUBDIVISION, FILING NO. 1;
THENCE S 08°17'32" E FOR A DISTANCE OF 472.13 FEET ALONG SAID WEST LINE;
THENCE S 10°05'42"E FOR A DISTANCE OF 171.06 FEET ALONG SAID WEST LOT LINE TO THE SOUTH LINE OF SAID LOT 1;
THENCE S 89°49'38" E FOR A DISTANCE OF 567.42 FEET TO THE POINT OF BEGINNING.

CONTAINING 393,711 SF (9.038 AC), MORE OR LESS.

BASIS OF BEARING

BEARINGS BASED ON THE EAST LINE OF TRACT A, JACKALOPE SUBDIVISION, FILING NO. 1, AS BEARING N 00°16'57"E, AN ASSUMED MERIDIAN.

GENERAL NOTES

THIS SITE IS NOT WITHIN A FLOOD AREA. REFER TO FEMA MAP NO. 08035C0182G.

NO LAND WILL BE DEDICATED TO THE TOWN OF PARKER.

NO UNIQUE FEATURES ON SITE.

PROJECT CONTACTS:

PROPERTY OWNER
MB VENTURES-PARKER, LLC.
12450 SOUTH PARKER ROAD
PARKER, CO 80134
(303) 947-0911
CONTACT: EVERT MELLEMA

APPLICANT
JACKALOPE PROPERTIES, LLC.
8080 S HOLLY STREET
CENTENNIAL, CO 80122
(303) 912-8079
CONTACT: MARLEY HODGSON

CIVIL ENGINEER
RIDGETOP ENGINEERING AND CONSULTING, LLC
5255 RONALD REAGAN BLVD, SUITE 210
JOHNSTOWN, CO 80534
(970) 663-4552
CONTACT: MIKE BEACH, P.E.

SURVEYOR CERTIFICATE

I, BRYAN SHORT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS DEVELOPMENT PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION; THAT, TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THIS MAP ACCURATELY DELINEATES THE PARCEL OF LAND TO BE ZONED IN THE TOWN OF PARKER, COLORADO; AND THAT AT LEAST ONE SIXTH (1/6) OF THE BOUNDARY OF SAID PARCEL IS CONTIGUOUS TO THE PRESENT TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO.

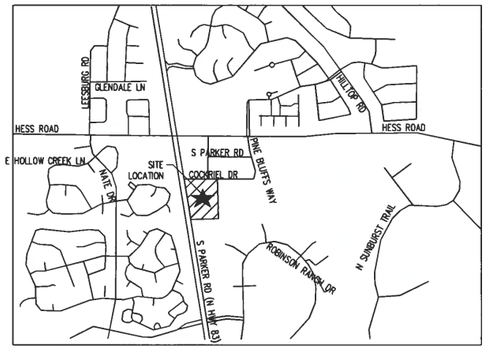
BRYAN SHORT
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 32444
FOR AND ON BEHALF OF PLS GROUP

NOTICE:
ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

NOTICE:
PER THE STATE OF COLORADO BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS RULE 6.2.2 THE WORD "CERTIFY" AS USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED. THE SURVEY REPRESENTED HEREON HAS BEEN PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND IS BASED UPON MY KNOWLEDGE, INFORMATION, AND BELIEF.

CASE NUMBER: Z_____

VICINITY MAP



SCALE 1:1000

SHEET LIST

COVER SHEET	0.0
ZONING MAP	1.0

OWNER'S CERTIFICATE, LOT 1

I, JACKALOPE PROPERTIES, LLC., HEREBY AFFIRM THAT I AM AN OWNER OR AUTHORIZED AGENT HAVING AN OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN.

_____
JACKALOPE PROPERTIES, LLC.

STATE OF _____)
) SS
COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ A.D., 20____

BY_____ WITNESS MY HAND AND SEAL
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

_____
ADDRESS

_____
CITY STATE ZIP CODE

OWNER'S CERTIFICATE, TRACT A

I, JACKALOPE PROPERTIES, LLC., HEREBY AFFIRM THAT I AM AN OWNER OR AUTHORIZED AGENT HAVING AN OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN.

_____
JACKALOPE PROPERTIES, LLC.

STATE OF _____)
) SS
COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ A.D., 20____

BY_____ WITNESS MY HAND AND SEAL
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

_____
ADDRESS

_____
CITY STATE ZIP CODE

PLANNING COMMISSION CERTIFICATE

THIS DEVELOPMENT PLAN WAS REVIEWED AND RECOMMENDED FOR APPROVAL BY THE TOWN OF PARKER PLANNING COMMISSION FOLLOWING A PUBLIC HEARING ON_____

_____
COMMUNITY DEVELOPMENT DIRECTOR ON BEHALF
OF THE PLANNING COMMISSION

TOWN COUNCIL ACCEPTANCE

THIS DEVELOPMENT PLAN WAS APPROVED BY THE TOWN OF PARKER ON THIS _____ DAY OF _____, 2019, FOR THE PROPERTY DESCRIBED HEREIN.

_____
MAYOR, TOWN OF PARKER

_____
ATTEST:TOWN CLERK

DOUGLAS COUNTY CLERK AND RECORDER'S CERTIFICATION

THIS DEVELOPMENT PLAN WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF DOUGLAS COUNTY AT _____M. ON THE _____ DAY OF _____, 2019,

RECEPTION NO._____

DOUGLAS COUNTY CLERK AND RECORDER

BY:_____
DEPUTY

LOGO
RIDGETOP ENGINEERING & CONSULTING
5255 Ronald Reagan Blvd., Ste. 210
Johnstown, CO 80534
T (970) 663-4552
W ridgetopeng.com

SEAL

PROJECT TITLE
THE BIG TOOL BOX RETAIL

12450 SOUTH PARKER ROAD
LOT 1 BLOCK 1 & TRACT A, JACKALOPE SUBDIVISION, FILING NO. 1
SECTION 34, TOWNSHIP 6 SOUTH, RANGE 66 WEST
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

PREPARED FOR
THE BIG TOOL BOX, INC.

811 Know what's below. Call before you dig.

SUBMITTAL
ZONING

DRAWN BY: ACC
CHECKED BY: MRB
PROJECT NO.: -

REVISIONS

TOWN COMMENTS	03/05/18

DATE
01/31/2019

SHEET TITLE
COVER SHEET

SHEET INFORMATION
C-0.0

JACKALOPE DEVELOPMENT PLAN 1ST AMENDMENT

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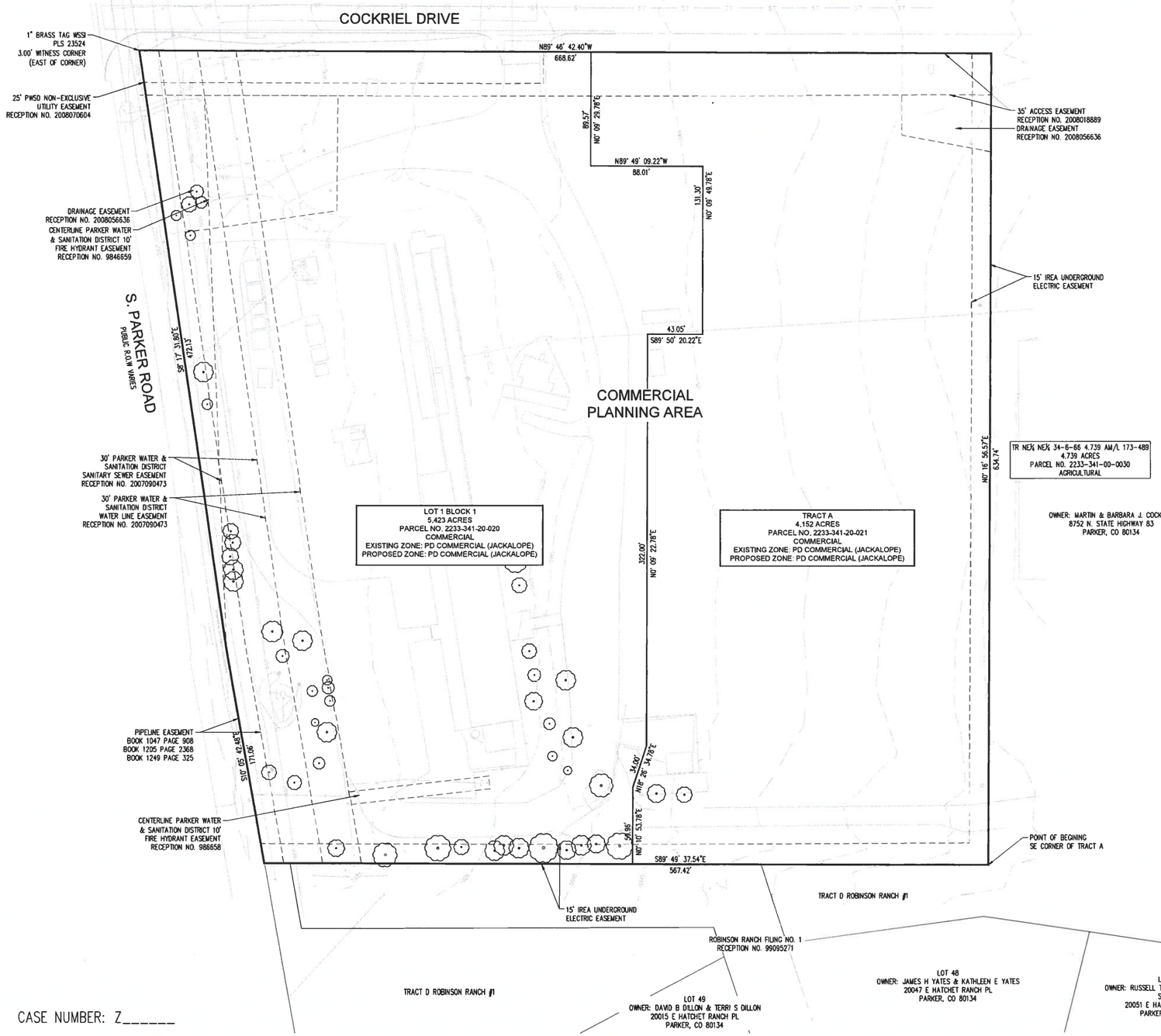
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO



LEGEND

- PROPERTY LINE
- EX. CONCRETE CURB & CUTTER
- EASEMENT
- EX. CONTOUR

CASE NUMBER: Z_____

LOGO

RIDGETOP ENGINEERING & CONSULTING
5255 Ronald Reagan Blvd., Ste. 210
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SUBMITTAL

ZONING

DRAWN BY:	ACC
CHECKED BY:	MRB
PROJECT NO.:	-

REVISIONS

TOWN COMMENTS	03/05/18

DATE

01/31/2019

SHEET TITLE

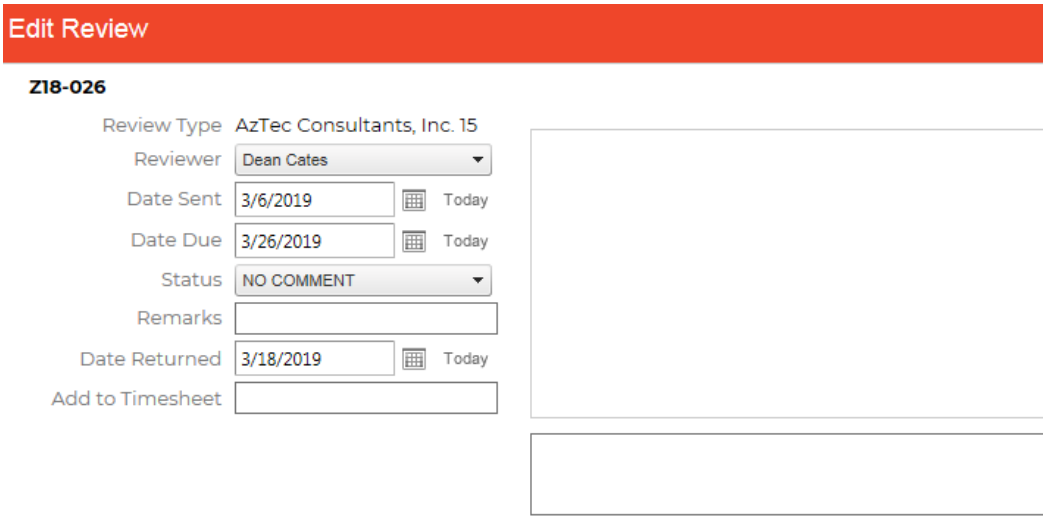
DEVELOPMENT PLAN

SHEET INFORMATION

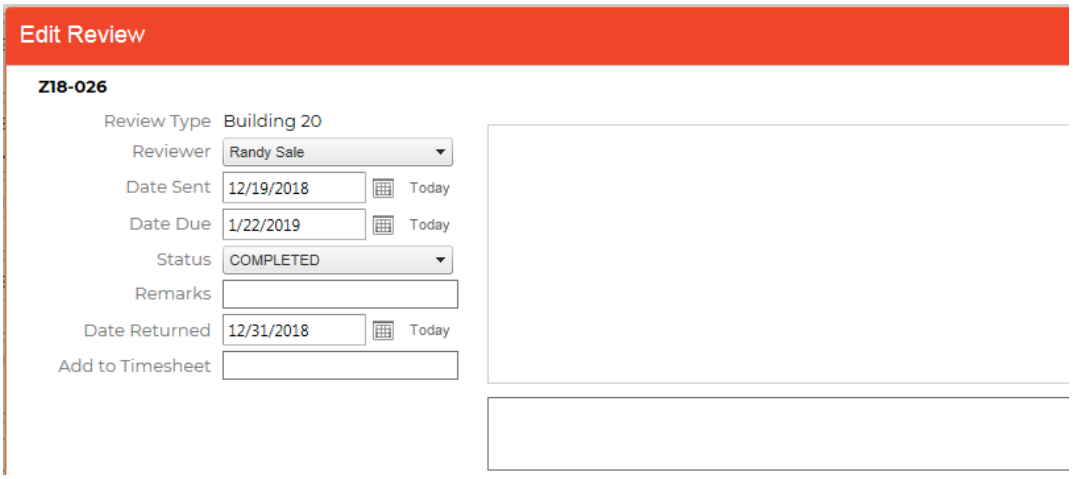
C-1.0

REFERRAL AGENCY COMMENTS

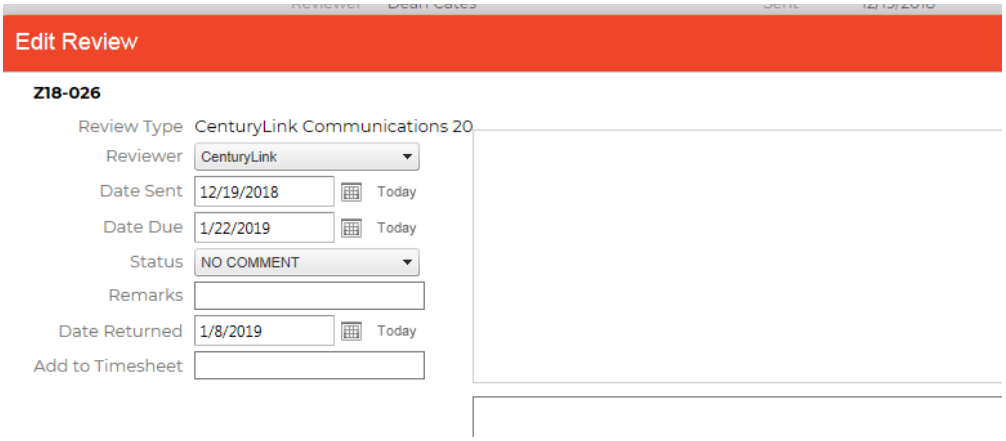
AZTEC CONSULTANTS



TOWN OF PARKER BUILDING



CENTURYLINK COMMUNICATIONS



COLORADO DEPARTMENT OF TRANSPORTATION

Marilyn Cross

Colorado Dept of Transportation, Region 1 20

There is an existing access permit for right-in, right-out access at Cockriel Drive (108031). This access is permitted for 315 DHV. According to the State Highway access code if the new use increases proposed vehicle volumes to the site by 20 percent or more, a new access permit is required.

Any proposed construction, utility, survey, or landscaping work within CDOT right-of-way will require a Special Use Permit issued by the Department. These permit applications can be found at the following link: https://www.codot.gov/business/permits/utilitiesspecialuse.

Due to the proximity to Hwy 83 (Parker Road), CDOT would like to review the drainage of the proposed development to make sure there will be no negative impact.
--Marilyn Cross

Any signing on this property that will be visible to State Highway 83 must be on-premise in nature and only advertise goods or services that are available on that property and must comply with any other applicable rules governing outdoor advertising in Colorado per 2 CCR 601-3

--Steve Loeffler 1-8-19
1/23/2019 4:46:54 PM

COMCAST

No comments submitted

TOWN OF PARKER COMPREHENSIVE PLANNING

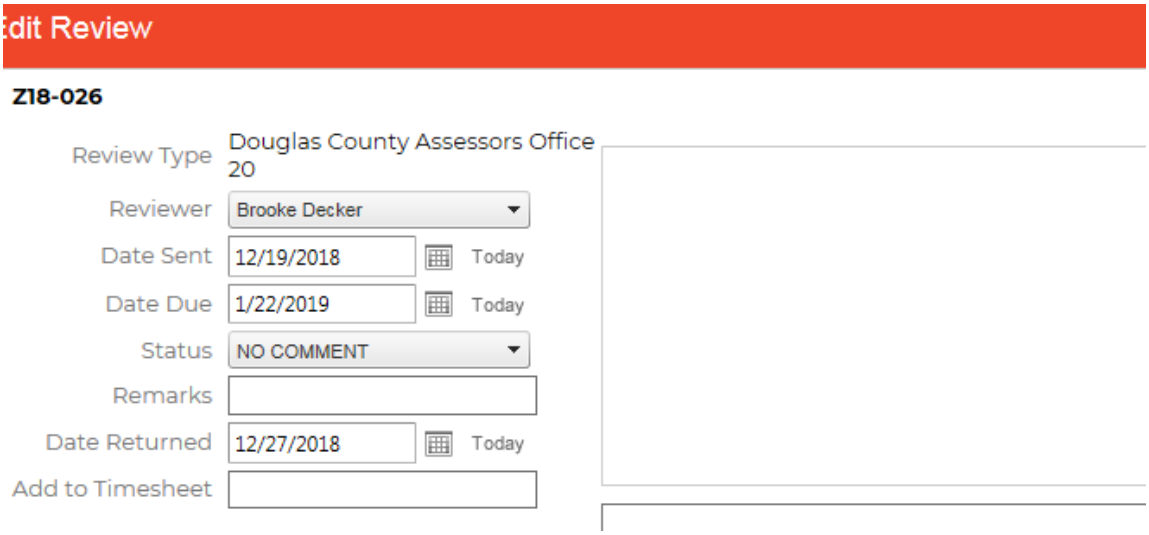
Comprehensive Planning 20

Bryce Matthews

This existing commercially zoned property that shares access with other commercial uses is located in the Parker 2035 Master Plan Neighborhood Center generally located around the intersection of Parker Road and Hess Road. Neighborhood Centers recommend a wide range of commercial uses such as retail, service commercial, lodging, offices and recreational uses that provide commercial services for neighborhoods, The proposed PD zoning with commercial uses would generally comply with the Parker 2035 Master Plan. Please continue to work with the planner to refine the uses and standards to mitigate impacts and create an appropriate transition to the adjoining residential to the south,

2/3/2019 7:24:42 AM

DOUGLAS COUNTY ASSESSORS



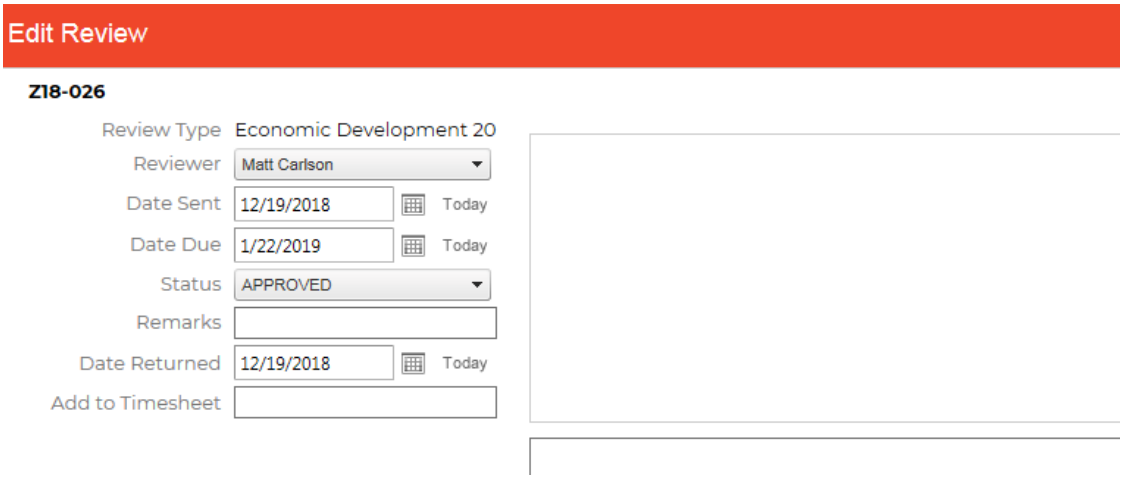
FIRE LIFE SAFETY

FIRE LIFE SAFETY 20

Fire Life Safety has no issue with the Zoning request for this property; comments specific to the site will be addressed once the SP has been submitted and more specific information is provided on the utilities, buildings, access, etc.

12/26/2018 10:29:09 AM

TOWN OF PARKER ECONOMIC DEVELOPMENT



IREA

IREA 20

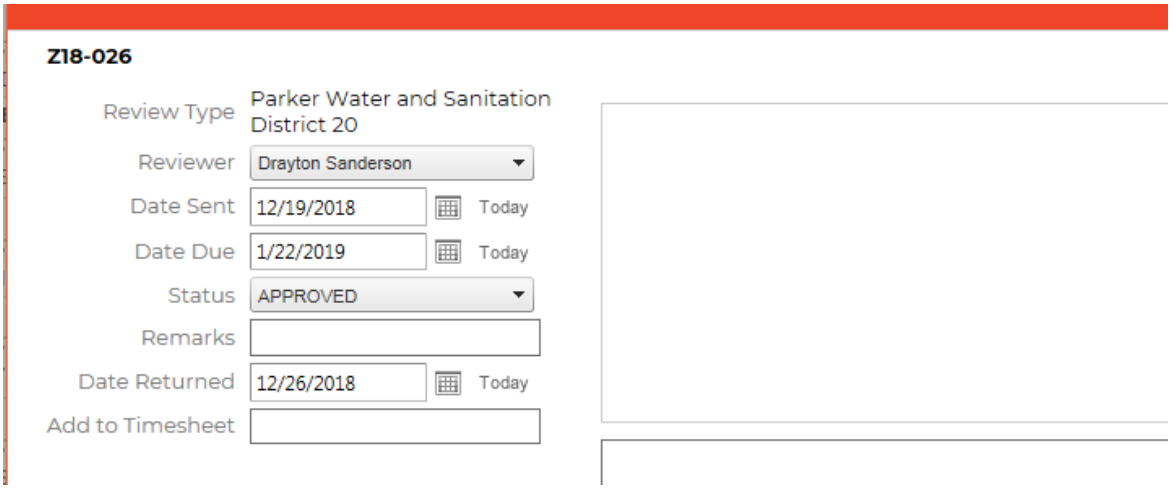
The Association has reviewed the contents in the above-referenced referral response packet. We reviewed the project for maintaining our existing facilities, utility easements, electric loading, and service requirements. We are advising you of the following concerns and comments:

The Association has existing underground/overhead electric facilities on the subject property. The Association will maintain these existing utility easements and facilities unless otherwise requested by the applicant to modify them under the Association's current extension policies.

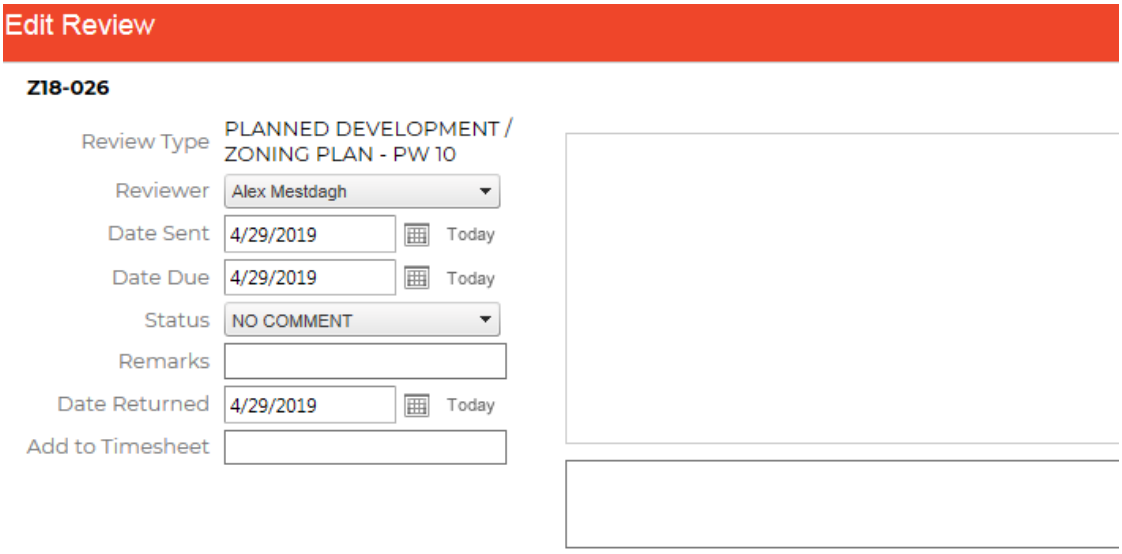
The Association is advising the applicant that the Town of Parker, ordinance that existing overhead power lines will be converted to underground electric, therefore the Association will require a fifteen-foot (15') utility easement to be granted as shown in the attached markup to accommodate the Town of Parker ordinance.

1/22/2019 7:11:09 AM

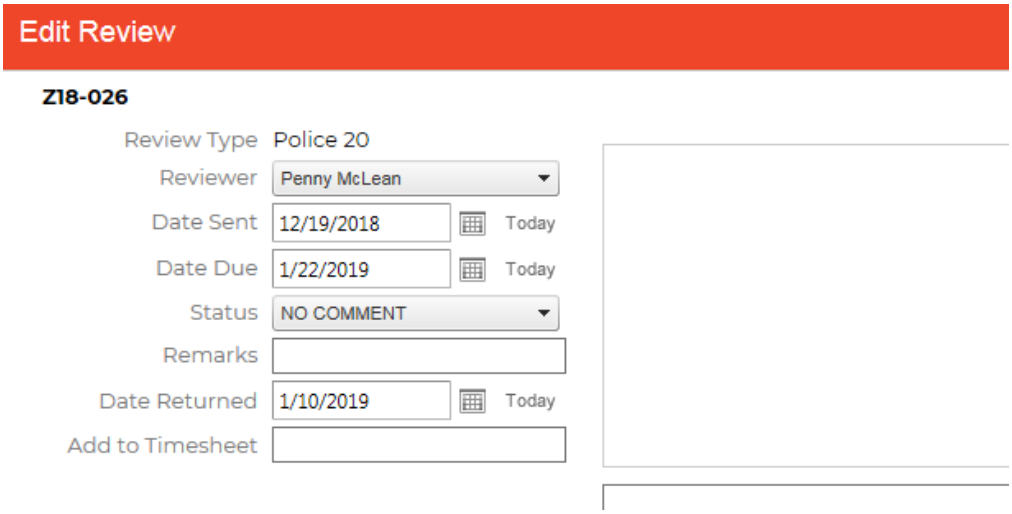
PARKER WATER AND SANITATION DISTRICT



TOWN OF PARKER PUBLIC WORKS/ENGINEERING



TOWN OF PARKER POLICE



PUBLIC SERVICE COMPANY

See attached letter

Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

January 18, 2019

Town of Parker Community Development Department
20120 E. Mainstreet
Parker, CO 80138

Attn: Stacey Nerger

Re: Jackalope F1 L1 and Tract A Rezoning - Mod Com, Case # Z18-026

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **Jackalope F1 L1 and Tract A Rezoning - Mod Com**. Public Service Company has no objection to this proposed rezone, contingent upon Public Service Company of Colorado's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

The property owner/developer/contractor must complete the **application process** for any new natural gas service via FastApp-Fax-Email-USPS (go to: https://www.xcelenergy.com/start,_stop,_transfer/new_construction_service_activation_for_builders). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

Please contact me at 303-571-3306 or donna.l.george@xcelenergy.com if there are any questions about this referral response.

Donna George
Right of Way and Permits
Public Service Company of Colorado

ROBINSON RANCH HOMEOWNERS ASSOCIATION

No comments submitted

STROH RANCH HOMEOWNERS ASSOCIATION

No comments submitted

MAGELLAN PIPELINE

No comments submitted

Planning Commission Staff Report

Planning Commission Date:	**5/9/2019**
Town Council Date:	**6/3/2019**
Hearing Type:	**Public Meeting** **DRAFT ORDINANCE – A Bill for an Ordinance to Amend Section 13.04.150 of the Parker Land Development Ordinance Concerning the Rezoning of Areas From All Other Zone Districts to PD-Planned Development**
Location:	**Townwide**
Project Planner:	**Bryce Matthews, Planning Manager**
Applicant:	**Town of Parker**
Executive Summary:	The proposed Municipal Code amendment will create minimum area standards for the rezoning of properties with straight zone districts that are established in the Land Development Ordinance (LDO), such as the C-Commercial District and LI-Light Industrial District, to a PD - Planned Development zone district.
Staff Recommendation:	**Approval**

RECOMMENDED MOTIONS

"I move the Planning Commission recommend Town Council approve an ordinance to Amend Section 13.04.150 of the Parker Land Development Ordinance concerning the rezoning of areas from all other zone districts to PD-Planned Development."

ALTERNATIVE MOTIONS

"I move that the Planning Commission recommend that Town Council approve an ordinance to Amend Section 13.04.150 of the Parker Land Development Ordinance concerning the rezoning of areas from all other zone districts to PD-Planned Development."

-List conditions (either by staff or Planning Commission)

"I move that the Planning Commission recommend that Town Council deny an ordinance to Amend Section 13.04.150 of the Parker Land Development Ordinance concerning the rezoning of areas from all other zone districts to PD-Planned Development."

-List criteria not met (either by staff or Planning Commission)

I. BACKGROUND/DISCUSSION

The LDO currently allows rezoning properties to PD – Planned Development with no minimum area requirement for the new zone district. The proposed LDO amendment will limit rezoning of properties with straight zoning districts that are established in the LDO, such as, but not limited to, Commercial District, LI-Light Industrial District, from being rezoned to PD-Planned Development unless:

- The area of the PD is a minimum of ten (10) acres, or
- The PD is being used to clean up the zoning of an area comprised of multiple lots with more than one existing zoning district, then the new PD must be a minimum of four (4) acres.

PRIOR ACTIONS

Date	Action
	None

II. PARKER 2035 MASTER PLAN

Parker 2035 Master Plan | Town of Parker - Official Website

MASTER PLAN CONSISTENCY	
2035 Master Plan	Choose an item. ☒ **Consistent** ☐ **Inconsistent**
Consistent Goals/Strategies	**Land Use 1.J**
Inconsistent Goals/Strategies	None
Staff Analysis	N/A

III. CONCLUSION

The Town is currently in the process of modernizing our LDO, one of the desired outcomes of the modernization is to reduce the use of PD zone districts. This proposed amendment will help to limit the creation of new PD's during the modernization process. Staff recommends the Planning Commission recommend Town Council approve the proposed Municipal Code amendment.

IV. ATTACHMENTS

Draft Ordinance

Report Approved By: Bryce Matthews, Planning Manager

Through: Jason Rogers, Deputy Community Development Director

ORDINANCE NO. 3.343, Series of 2019

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTION 13.04.150 OF THE PARKER LAND DEVELOPMENT ORDINANCE CONCERNING THE REZONING OF AREAS FROM ALL OTHER ZONING DISTRICTS TO PD-PLANNED DEVELOPMENT

WHEREAS, the Town of Parker is currently evaluating major revisions to the Parker Land Development Ordinance as part of the "Land Development Modernization Project";

WHEREAS, one of the goals of the Land Development Modernization Project is to reduce the Town's reliance on planned development zoning; and

WHEREAS, the Town Council has determined that establishing a minimum area requirement for rezoning areas from all other zoning districts to the PD-planned development zoning district is in the best interest of the Town while it is evaluating amendments to modernize the Parker Land Development Ordinance;

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Subsubsection (1) of subsection (c) of section 13.04.150 of the Parker Municipal Code is amended to read as follows:

(c) General requirement.

(1) There shall be no minimum area required for any planned development**; provided, however, no area zoned A-Agricultural District, ER-Estate Residential District, SR-Suburban Residential District, MF-Multiple Family District, MH-Mobile Home District, B-Business District, GD-Greater Downtown District, C-Commercial District, LI-Light Industrial District, PF-Public Facilities, or any modified version of those zoning districts, shall be rezoned to PD-Planned Development unless:**

a. such area is a minimum of ten (10) acres, or

b. if such area that is to be developed as a single development is comprised of multiple lots with more than one zoning district, such lots cumulatively are a minimum of four (4) acres.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this

Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this _____ day of _____, 2019.

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this _____ day of _____, 2019.

_____
Mike Waid, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

_____
James S. Maloney, Town Attorney

DRAFT