PARKER
COLORADO

PLANNING COMMISSION MINUTES
September 26, 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 Richard Foerster, Ruth Ann Nelson, John Howe and Erik Frandsen. Alternates Tracie Manske and Susan Caudill were present and seated for the absent Commissioners Duane Hopkins and Eliana Burke. Alternate Kimberly Rodell was present.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

APPROVAL OF MINUTES

Commissioner John Howe moved to approve the September 12, 2019 meeting minutes. Commissioner Richard Foerster seconded; a vote was taken and passed 7:0.

PUBLIC HEARING: OPENED: 7:02 P.M. E-470 RIGHT-OF-WAY NORTHEAST - Zoning

Applicant: Town of Parker
Location: Generally located north of Cottonwood Drive adjacent to the east and west borders of E-470
Department: Community Development, Carolyn Parkinson
TRAKiT No.: Z19-015

Paul Workman, Planner, on behalf of Carolyn Parkinson, presented the staff report for the E-470 Right-of-Way Northeast – Zoning. Mr. Workman concluded with the determinations in staff's report and recommended the Planning Commission recommend that Town Council approve the zoning request.

Planning Commissioners had no questions for staff.

APPLICANT PRESENTATION

None, staff presentation only.

PUBLIC COMMENT OPENED

None

PUBLIC COMMENT CLOSED

PUBLIC HEARING: CLOSED: 7:06 P.M. E-470 RIGHT-OF-WAY NORTHEAST - Zoning
PLANNING COMMISSION DISCUSSION
All Commissioners and the Chair agreed the zoning request meets the criteria for approval.

Commissioner John Howe moved that the Planning Commission recommend that Town Council approve the E-470 Right-of-Way Northeast – Zoning request. Commissioner Richard Foerster seconded; a vote was taken and passed 7:0.

PUBLIC HEARING: OPENED: 7:08 P.M. CANVAS FILING NO. 1 - Minor Development Plat
Applicant: Level 5 LLC, Sean Morrical
Location: Northeast Corner of Parker Road and Ponderosa Drive
Department: Community Development, Paul Workman
TRAKiT No.: SUB18-010

Paul Workman, Planner, presented the staff report for the Canvas Filing No. 1 – Minor Development Plat. Mr. Workman concluded with the determinations in staff's report and recommended the Planning Commission recommend that Town Council approve the Canvas Filing No. 1 – Minor Development Plat.

Planning Commissioners discussed with staff:

- if the southerly access will go through the drainage area; (*Staff said the access is not contiguous with the drainage area.*)
- if the gas line that runs through the site is safe; (*Staff said based on staff's review of referrals the gas line is no longer in service.*)
- if the access to the site will be the same as today or will it move north towards Parker Road; (*Staff deferred to the applicant to respond. Michael Swanton, Baseline Corporation, 6160 Johnson Way, Arvada, CO 30339 said the access has been moved 10 to 20 feet east along Ponderosa Drive; away from the intersection with Parker Road.*)

APPLICANT PRESENTATION
There was no applicant presentation and no further questions for the applicant.

PUBLIC COMMENT OPENED
None

PUBLIC COMMENT CLOSED

Commissioner Richard Foerster asked staff if there are plans to put a traffic signal at Pine and Ponderosa. Staff said they are unaware of plans to put a traffic signal at that intersection which is in Douglas County's jurisdiction.

PUBLIC HEARING: CLOSED: 7:15 P.M. CANVAS FILING NO. 1 - Minor Development Plat

PLANNING COMMISSION DISCUSSION

Commissioner John Howe said the request meets all six criteria for approval of the plat; he said it will be nice for new development to provide sales tax revenue as well as be a nice addition for the area.

Commissioner Richard Foerster said it will be nice to have the vacant land developed. He supported recommending Town Council approve the request.

Commissioner Erik Frandsen said it not only meets the criteria for approval but also turns the property into usable lots. He supported recommending Town Council approve the request.

Commissioner Susan Caudill agreed the request will be great to develop that area of Town.

Commissioner Ruth Ann Nelson agreed and looked forward to the new development.

Commissioner Tracie Manske agreed.

Chair Gary Poole said he is glad to see development of the property; he supported recommending Town Council approve the request.

Commissioner John Howe moved that the Planning Commission recommend that Town Council approve the Canvas Filing No.1 – Minor Development Plat. Commissioner Ruth Ann Nelson seconded; a vote was taken and passed 7:0.

PUBLIC MEETING: OPENED: 7:18 P.M. DRAFT ORDINANCE

A Bill for an Ordinance to Amend Section 10.13.080 of the Parker Municipal Code Concerning the Kiosk Program

Applicant: Town of Parker
Location: Townwide
Department: Community Development, Bryce Matthews

Bryce Matthews, Planning Manager, presented the staff report for the update to the Land Development Ordinance concerning the Kiosk Program. Mr. Matthews concluded with the determinations in staff's report and recommended the Planning Commission recommend Town Council approve the amendment.

Commissioners discussed with staff:

- if the existing kiosk signs will be removed; (*Staff said they have all been removed.*)
- that one was seen on Jordan Road; (*Staff requested an email for staff to have it removed.*)
- if the program costs would be borne by the builders; (*Staff said yes.*)

APPLICANT PRESENTATION

Staff presentation only.

PUBLIC COMMENT OPENED
None

PUBLIC COMMENT CLOSED

PUBLIC MEETING: CLOSED: 7:21 P.M. DRAFT ORDINANCE
A Bill for an Ordinance to Amend Section 10.13.080 of the Parker Municipal Code Concerning the Kiosk Program

PLANNING COMMISSION DISCUSSION
All Commissioners agreed this request makes sense and recommended approval by Town Council.

Commissioner Richard Foerster moved that the Planning Commission recommend the Town Council approve an ordinance to amend Section 10.13.080 of the Parker Land Development Ordinance concerning the Kiosk Program. Commissioner John Howe seconded; a vote was taken and passed 7:0.

PUBLIC MEETING: OPENED: 7:23 P.M. DRAFT ORDINANCE
A Bill for an Ordinance to Amend Chapter 13.02 of the Parker Municipal Code to Add a Definition for "Tourist Homes"
Applicant: Town of Parker
Location: Townwide
Department: Community Development, Bryce Matthews

Bryce Matthews, Planning Manager, presented the staff report for the update to the Land Development Ordinance concerning the definition and non-allowance of "tourist homes". Mr. Matthews concluded with the determinations in staff's report and recommended the Planning Commission recommend Town Council approve the amendment.

Commissioners discussed with staff:

- if the term "tourist home" refers to peer-to-peer accommodations; (*Staff said that is correct; short-term rentals.*)
- the reason for choosing the definition "tourist home"; (*Staff said short-term rentals are not permitted within the current code but not defined; the Town has received a complaint and determined having a definition for short-term rental within the Municipal Code would provide clarity to them not being permitted.*)
- if the complaints are based on hosted peer-to-peer units or empty units; (*Staff said the complaints have been on empty units.*)
- why exclude hosted peer-to-peer accommodations in the definition; (*Staff said this is a policy discussion; there are still impacts with hosted accommodations that the Town is trying to address.*)

- the consequences to those that continue to offer short-term rentals since it is not permitted; (*Staff said enforcement is complaint driven by reaching out to the property owner; advising them to stop the short-term rental; if not, a violation would be issued; if that didn't stop the short-term rental, then the property owner would be summoned to court.*)
- if Community Services is able to enforce stopping short-term rentals today or if this definition will allow enforcement or provide additional enforcement; (*Staff said this definition will clarify existing enforcement.*)

APPLICANT PRESENTATION
Staff presentation only.

PUBLIC COMMENT OPENED
None

PUBLIC COMMENT CLOSED

PUBLIC MEETING: CLOSED: 7:32 P.M. DRAFT ORDINANCE
A Bill for an Ordinance to Amend Chapter 13.02 of the Parker Municipal Code to Add a Definition for "Tourist Homes"

PLANNING COMMISSION DISCUSSION
All Commissioners agreed this request provides clarity and strong guidelines for enforcement of the existing Municipal Code and recommended approval by Town Council except Commissioner Ruth Ann Nelson for the reason that peer-to-peer rentals with a host is part of a growing, shared-economy movement in this country. Commissioner Ruth Ann Nelson said peer-to-peer rentals with a host should be permitted with rules for allowed numbers and registration requirements; she said she believed the proposed definition does not solve the problem of short-term rentals.

Commissioner John Howe moved that the Planning Commission recommend the Town Council approve an ordinance to amend Chapter 13.02 of the Parker Land Development Ordinance concerning the definition of "tourist homes". Commissioner Richard Foerster seconded; a vote was taken and passed 6:1 with Commission Ruth Ann Nelson voting against for the above reasons.

PUBLIC MEETING: OPENED: 7:41 P.M. DRAFT ORDINANCE
A Bill for an Ordinance to Add a New Section 13.07.170, Entitled Association, to the Parker Municipal Code
Applicant: Town of Parker
Location: Townwide
Department: Community Development, Bryce Matthews

Bryce Matthews, Planning Manager, presented the staff report for the update to the Land Development Ordinance concerning the addition of a new Section 13.07.170, entitled association, to the Parker Municipal Code. Mr. Matthews concluded with the determinations in staff's report and recommended the Planning Commission recommend Town Council approve the amendment.

Commissioners discussed with staff:

- if the one builder mentioned in staff's report will be required to form a Homeowners' Association (HOA); (*Staff said the mentioned project will not have an HOA.*)
- that Cottonwood and Country Meadows will remain without an HOA; (*Staff said that is correct.*)
- the only way for Cottonwood and Country Meadows to form an HOA is for the homeowners to petition for one; (*Staff said that is correct.*)

APPLICANT PRESENTATION
Staff presentation only.

PUBLIC COMMENT OPENED
None

PUBLIC COMMENT CLOSED

PUBLIC MEETING: CLOSED: 7:45 P.M. DRAFT ORDINANCE
A Bill for an Ordinance to Add a New Section 13.07.170, Entitled Association, to the Parker Municipal Code

PLANNING COMMISSION DISCUSSION
All Commissioners agreed this request makes sense and recommended approval by Town Council.

Commissioner John Howe moved that the Planning Commission recommend the Town Council approve an ordinance to add Section 13.07.170 of the Parker Land Development Ordinance requiring Entitled Associations with the amendments provided by staff at the Public Meeting. Commissioner Richard Foerster seconded; a vote was taken and passed 7:0.

PUBLIC MEETING: OPENED: 7:47 P.M. DRAFT ORDINANCE
A Bill for an Ordinance to Amend Section 13.03.030, Entitled Planning Department Adjustments, of the Parker Municipal Code
Applicant: Town of Parker
Location: Townwide
Department: Community Development, Bryce Matthews

Bryce Matthews, Planning Manager, presented the staff report for the update to the Land Development Ordinance concerning amending Section 13.03.030, Entitled Planning Department Adjustments, of the Parker Municipal Code. Mr. Matthews concluded with the determinations in staff's report and recommended the Planning Commission recommend Town Council approve the amendment.

Commissioners discussed with staff:

- if this will help builders and developers; (*Staff said this request will help the Planning Department and existing businesses make updates by shortening the process and may assist developers.*)

APPLICANT PRESENTATION
Staff presentation only.

PUBLIC COMMENT OPENED
None

PUBLIC COMMENT CLOSED

PUBLIC MEETING: CLOSED: 7:50 P.M. DRAFT ORDINANCE
A Bill for an Ordinance to Amend Section 13.03.030, Entitled Planning Department Adjustments, of the Parker Municipal Code

PLANNING COMMISSION DISCUSSION
All Commissioners agreed this request makes sense to improve efficiencies and recommended approval by Town Council.

Commissioner John Howe moved that the Planning Commission recommend the Town Council approve an ordinance to amend Section 13.03.030 of the Parker Land Development Ordinance concerning the Planning Department adjustments. Commissioner Erik Frandsen seconded; a vote was taken and passed 7:0.

PLANNING COMMISSION ITEMS
None

STAFF ITEMS
Next Planning Commission training, 5:30 p.m. October 10, 2019 and a study session on parks dedications.

ADJOURNMENT
The meeting was adjourned at 7:53 p.m.

Rosemary Sietsema
Recording Secretary

Gary Poole
Chair