



PLANNING COMMISSION MEETING

7:00 PM

April 9, 2020

Town Administrator Emergency Order No. 2-2020: All municipal facilities, including Town Hall where Planning Commission meetings are physically held, are closed to all members of the general public in response to the COVID-19 pandemic.

Town Administrator Emergency Order No. 4-2020: Planning Commission meetings are closed to members of the general public in response to the COVID-19 pandemic. The Town will provide for electronic participation by the general public, including applicants, residents and other interested parties during regular and special Planning Commission meetings.

Planning Commission meetings may be viewed through Facebook Live from the Town of Parker website: www.facebook.com/townofparkerco.

Instructions on how to participate in the public hearing are available by viewing the individual Planning Commission meeting listing on the Town's online calendar at www.parkeronline.org/calendar.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. ADDITIONS TO OR DELETIONS FROM THE AGENDA**
- 5. APPROVAL OF MINUTES**

March 12, 2020 Meeting Minutes

- 6. PUBLIC HEARINGS**
 - A. F & K SUBDIVISION, MOST OF LOT 2 - PARKER ANIMAL HOSPITAL - Use by Special Review (Continued from March 26, 2020)**

Applicant:	Omni Building Corporation for Hayes and Bigbee, LLC
Location:	10255 Parker Road
Department:	Community Development, Carolyn Parkinson
TRAKiT No.:	Z19-025

B. LOT 2, MARK SIX BUSINESS SUBDIVISION PROPERTY - Rezone

Applicant: John Kopasz

Location: 18800 Clarke Road

Department: Community Development, BrieAnna Simon

TRAKiT No.: Z18-021

7. PLANNING COMMISSION ITEMS

8. STAFF ITEMS

9. ADJOURNMENT



PLANNING COMMISSION MINUTES

March 12, 2020

Vice Chair John Howe 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 and Eliana Burke. Alternate Kimberly Rodell was seated for the vacant position and Alternate Susan Caudill was seated for the absent Commissioner Erik Frandsen. Chair Gary Poole and Alternate Tracie Manske were absent.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

APPROVAL OF MINUTES

Commissioner Ruth Ann Nelson moved to approve the February 13, 2020 meeting minutes. Vice Chair John Howe seconded; a vote was taken and passed 6:0.

PUBLIC HEARING: OPENED: 7:02 P.M. PARKER POINTE FILING NO. 1 - Minor Development Plat

Applicant: Parker and Stroh, LLC
Location: Southeast Corner of Parker Road and Stroh Road
Department: Community Development, Paul Workman
TRAKiT No.: SUB19-052

Paul Workman, Planner, presented the staff report for the Parker Pointe Filing No. 1 – Minor Development Plat request. Mr. Workman concluded with the determinations in the staff report and recommended the Planning Commission recommend Town Council approve the minor development plat request.

Commissioners discussed with staff:

- if there were any different referral comments from the previous approval; (*Staff said no, there were not.*)
- if there were any major changes in the request from when last heard; (*Staff said no, there were not.*)

APPLICANT PRESENTATION

None

Commissioners had no questions for the applicant.

PUBLIC COMMENT OPENED

- Michelle Hinerman, 5318 S Telluride Way, Centennial, CO wanted to know if there are prairie dogs on the property and if there will be consideration given to relocation
- Amanda Steinhauser, 9157 Bayou Gulch Road, Parker, CO wanted to know the plan to address red-tailed hawks nesting in trees on the property

PUBLIC COMMENT CLOSED

Staff said the applicant needs to comply with all local, state and federal requirements for prairie dog mitigation; and deferred to the applicant to address the mitigation process.

Staff said the Town and the applicant are aware of the red-tailed hawks' nesting and have been working with the Colorado Parks and Wildlife to determine if and when construction will stop or not occur.

Jerry Davidson, Perception Design Group, Inc., 6901 S Pierce Street, Suite 315, Littleton, CO 80123 said they are aware of the prairie dogs on the property and will comply with local, state and federal regulations. Mr. Davidson said they are working closely with an environmental consultant and the Division of Wildlife concerning the red-tailed hawk; they are aware that if nesting is in progress, construction will need to stop until nesting is completed.

PUBLIC HEARING: CLOSED: 7:13 P.M. PARKER POINTE FILING NO. 1 - Minor Development Plat

PLANNING COMMISSION DISCUSSION

Planning Commissioners discussed the proposed minor development plat request:

- was previously recommended for approval
- meets the Parker 2035 Master Plan criteria and Town standards
- needs to comply with Colorado Parks and Wildlife and US Fish and Wildlife Service requirements

Commissioner Eliana Burke moved that the Planning Commission recommend Town Council approve the Parker Pointe Filing No. 1 – Minor Development Plat. Commissioner Richard Foerster seconded; a vote was taken and passed 6:0.

PUBLIC HEARING: OPENED: 7:15 P.M. DRAFT ORDINANCE - A Bill for an Ordinance to Amend Title 13 of the Parker Municipal Code by the Addition Thereto of a New Section 13.10.250 Entitled Prairie Dog Management

Location: Townwide

Department: Community Development, Bryce Matthews

TRAKiT No.: SUB19-052

John Fussa, Community Development Director, presented the staff report for the draft ordinance regarding prairie dog management. Mr. Fussa concluded with the determinations in the staff report and recommended the Planning Commission recommend Town Council approve the proposed ordinance.

Commissioners discussed with staff:

- the effective date for the ordinance; *(Staff said if Town Council approves the ordinance at the April 6, 2020 meeting, the ordinance will be effective 10 days after that.)*
- if previous applicants are grandfathered prior to the effective date; *(Staff said there will be no grandfathering; upon the effective date, applicants will be bound by the ordinance.)*
- if the proposed ordinance, once effective, would be applicable to previously approved projects, prior to the ordinance effective date, with a subsequent grading permit after the ordinance effective date; *(Staff said in that case, the applicant would be bound by the proposed ordinance for the grading permit, if approved.)*
- who determines relocation is not feasible and give an example; *(Staff said the applicant will be responsible for providing documentation on the infeasibility to relocate for staff review and approval; an example of infeasibility to relocate would be if there is a lack of a proper receiving ground for the prairie dogs.)*
- the time-frame for developer compliance to relocate or use humane extermination; *(Staff said there is no specified time-frame within the ordinance for compliance; Town Council is establishing this first step in prairie dog management in an attempt to strike a balance between relocation and humane extermination. Staff is looking for good faith efforts by developers, realizing implementation of the ordinance will necessitate amendments in the future.)*
- if prior to extermination determination, Colorado Parks and Wildlife and US Fish and Wildlife will be consulted for impacts to other wildlife, as well as prairie dogs and once requirements are met, extermination would be possible; *(Staff said the ordinance states, through referral and in accordance with state and federal designated endangered or threatened species, extermination shall not occur. Staff said if Town Council approves the ordinance staff will create administrative provisions for implementation through certification, check-list and an in-take tracking form available online to ensure applicants take the standards seriously and in a timely manner.)*
- where this ordinance stands relative to peer communities in Douglas County; *(Staff said based on research, the Town of Parker is the first municipality within Douglas County to have prairie dog management regulations directly related to the development process as conditions for approval.)*

- if Douglas County has a similar ordinance; (*Staff said not for development applications but they do have standards, policies and practices with regard to prairie dog management relative to public lands owned and managed by the county.*)

APPLICANT PRESENTATION

None; staff presentation, only.

PUBLIC COMMENT OPENED

The following citizens spoke in support of recommending approval of the ordinance; stating that the ordinance is a good first step that:

- strikes a balance between supporting prairie dogs lives and allowing new development
 - stops stigmatizing prairie dogs
 - supports attempts to relocate prairie dogs
 - supports humane treatment of prairie dog removal
 - supports non-toxic prairie dog removal; prevents secondary poisoning of other species
 - is a good first effort; suggested establishing clear, relocation criteria and requirements for developers to meet in good faith and eliminate vagueness
 - hopefully, will protect other types of wildlife in future ordinances
 - suggested in subsection C to modify the word “encourage” to “required to make a good-faith effort”
 - suggested put certifications through rigorous review
 - encouraged moving forward to strengthen work in environmental conservation
- Mark Snyder, Junior, Ironstone Way, Parker, CO
 - Lynda Wilson, 11443 E Regency Court, Parker, CO
 - Jack Coyne, 19288 E Hickock Drive, Parker, CO
 - Jennifer Ready, 11629 Fenwick Circle, Parker, CO
 - Alex Austin, 11614 Club Drive, Parker, CO
 - Siobhan Roder-Cox, 42943 Vista Ridge Road, Parker, CO
 - Peter Ericson, 9272 E Pioneer Drive, Parker, CO

PUBLIC COMMENT CLOSED

Staff response to public comment:

- appreciation for participation and citizen input
- staff researched other Colorado municipalities’ prairie dog ordinances to determine various scopes for an ordinance to be adopted by the Town of Parker
- substantive elements in the proposed ordinance are able to be added, deleted or modified in the future
- the proposed ordinance allows for policies and implementation tools to be administratively addressed
- citizen comments will be summarized and forwarded to Town Council for the April 6, 2020 public hearing
- Town Council will be providing future direction

PUBLIC HEARING: CLOSED: 8:02 P.M. DRAFT ORDINANCE - A Bill for an Ordinance to Amend Title 13 of the Parker Municipal Code by the Addition Thereto of a New Section 13.10.250 Entitled Prairie Dog Management

PLANNING COMMISSION DISCUSSION

Planning Commissioners discussed the proposed ordinance:

- by thanking the citizens, staff and Town Council for their participation and input
- takes the first step to create a policy that impacts the humane treatment of prairie dogs
- over time, allows for improvements to the ordinance through policy and implementation tools
- allows for working with the Department of Agriculture, United States Fish and Wildlife Department and Colorado Parks and Wildlife to ensure humane treatment of prairie dogs
- recognizes the reality that relocation of prairie dogs may not always be an option; and in that case provides for non-toxic extermination of prairie dogs
- in commending staff on their work with the proposed ordinance
- looking forward to Town Council's direction regarding the ordinance
- expressing concerns with determining feasibility timing issues for developers
- requesting consideration to changing language from "encourage to" to "required to make a good faith effort"
- by encouraging staff to closely monitor developer's good faith efforts to ensure the effort meets the intent of the proposed ordinance
- as having pride in the Town of Parker taking this first step that shows Town leadership is moving toward keeping harmony with the environment
- as a means to move forward with the ability to improve the language and the ordinance to meet a balance between development and protecting the environment

Commissioner Richard Foerster moved that the Planning Commission recommend Town Council approve an ordinance to Amend Title 13 of the Parker Municipal Code regarding prairie dog management. Commissioner Eliana Burke seconded; a vote was taken and passed 6:0.

PLANNING COMMISSION ITEMS

None

STAFF ITEMS

Bryce Matthews, Planning Manager, advised the Planning Commission that in addition to developing an ordinance on prairie dog management, Town Council directed staff to explore requirements for environmental assessments related to new development applications. Mr. Matthews said that information would be forthcoming to the Planning Commission.

ADJOURNMENT

The meeting was adjourned at 8:08 p.m.

Rosemary Sietsema
Recording Secretary

Gary Poole
Chair

DRAFT



Planning Commission Staff Report

Planning Commission Date: 4/9/2020

Town Council Date: 4/20/2020

Hearing Type: **Public Hearing**
F & K SUBDIVISION, MOST OF LOT 2 -PARKER
ANIMAL HOSPITAL – Use by Special Review
(Continued from 3/26/2020)
TRAKiT No.: Z19-025

Location: **10225 S Parker Road**
Located on the west side of Parker Road south of
Parkglenn Way

Project Planner: **Carolyn Parkinson, Planner**

Applicant: Omni Building Corp – Nicque Conley
Hayes and Bigbee LLC (Owners)

Executive Summary: On March 13, 2020 the Town of Parker Town Administrator issued Emergency Order 2-2020 to continue the March 26, 2020 Planning Commission meeting to April 9, 2020.

On March 18, 2020, the applicant voluntarily requested to continue the March 26, 2020 Planning Commission public hearing to April 9, 2020, via a virtual meeting, due to the Covid-19 pandemic and the risk it posed to public gatherings.

The applicant is requesting a Use by Special Review to allow boarding of dogs and cats on the site of the existing Parker Animal Hospital.

Staff Recommendation: **Approval with Conditions**

RECOMMENDED MOTION

“I move the Planning Commission recommend Town Council approve the Use by Special Review to allow boarding of dogs and cats at the site of the existing Parker Animal Hospital, subject to the five (5) conditions contained in staff’s report:”

- 1. That the Use by Special Review Project Narrative and Nine Criteria document submitted to the Community Development Department on March 11, 2020, shall be the approved Use by Special Review materials.*

2. *Operations at the facility shall comply with the 'Operational Information' document uploaded on February 17, 2020.*
3. *A building permit shall be required for any interior or exterior work completed on site.*
4. *A Pet Animal Care Facilities Act (PACFA) license is required. The use shall be in compliance with all (PACFA) requirements at all times.*
5. *This approval shall expire twelve (12) months after the date of approval unless a building permit has been applied for. The Community Development Director, upon written request, may grant a ninety-(90) day extension.*

ALTERNATIVE MOTIONS

"I move that the Planning Commission recommend that Town Council approve the <insert request>:"

"I move that the Planning Commission recommend that Town Council deny the <insert request> 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 <insert request> to a future date."

I. BACKGROUND/DISCUSSION

Parker Animal Hospital is proposing to add an additional use to their existing animal hospital. The new use will be dog and cat boarding and daycare. The existing hospital use takes place on the upper/main level of the current building with the client entry facing east. The boarding and daycare facilities would be located on the lower level of the building which is not currently being actively used. This new use would require a renovation of the lower level existing space to properly house animals. The entrance for this lower level would be on the west side of the building.

This proposal includes no additional structures but will add fenced outdoor kennels and a new parking lot to serve the boarding facility. Both the new parking lot and the outdoor "exercise" areas will be located on the western side of the building adjacent to light industrial and commercial uses. This area is hidden from view from Parker Road as it is located behind the building. Some exterior changes to the rear façades will be needed. A site plan amendment is under review.

On site veterinarians will make Parker Animal Hospital's boarding and day play facility unique. Veterinarians will be on site during working hours as well as on-call for any potential emergencies that boarded animals may experience. This level of veterinary supervision is not currently found within a 10-mile radius of Parker Animal Hospital. Additionally, few locations in the Parker area will accept chronically ill or elderly animal patients for boarding. This severely restricts pet owners who struggle to find adequate and expert pet care when traveling.

The Pet Animal Care Facilities Act (PACFA) licensure was applied for by Hayes and Bigbee LLC on February 11, 2020, and is pending approval.



II. PRIOR ACTIONS

Date	Action
9.23.2011	The subject property was annexed and zoned Progress Lane Area Planned Development in 2011 as a part of larger annexation and zoning applications.

III. CURRENT SITE DATA

Existing Zoning	PD - Planned Development		
Overlay District	N/A		
PD & Plan Area	Progress Lane Area Planned Development		
Master Plan Area	Central Commercial		
Site Acreage	1.049 Acres		
Subdivision	F & K Subdivision		
Existing Use	Parker Animal Hospital		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Central Commercial	PD - Planned Development	Commercial – Car wash and U Haul Storage
South	Central Commercial	C - Commercial District	Commercial- Multi Tennant
East	Central Commercial	C - Commercial District	Commercial – MOB and Charter School
West	Light Industrial	PD - Planned Development	Light Industrial – Manufacture and Parking

IV. PARKER 2035 MASTER PLAN

[Parker 2035 Master Plan | Town of Parker - Official Website](#)

MASTER PLAN CONSISTENCY	
Master Plan Designation	Choose an item. ☒ Consistent ☐ Inconsistent
Master Plan Character Discussion	This is the commercial core of the Town. Growth should focus on core retail, services, offices, lodging, restaurants, entertainment, and to a lesser extent, higher density residential uses. Vertical mixed use is highly encouraged where appropriate.
Consistent Goals/Strategies	Land Use 1.C Jobs and Economic Vitality 2.A Jobs and Economic Vitality 2.C Jobs and Economic Vitality 6.A
Inconsistent Goals/Strategies	None
Staff Analysis	The subject property is located within the Central Commercial Character Area of the Town's Master Land Use Plan. Due to its central location, with access to Parker Road, Dransfeldt Road and Twenty Mile Road, uses in this Character Area should include retail, services, offices, lodging, restaurants and entertainment. The site, along with the adjacent properties, provide a variety of commercial uses that benefit the residents of the Town as well as the larger clientele that utilize these main transportation corridors.

	Approval of this Use by Special Review is consistent with the goals and strategies of the Parker 2035 Master Plan to encourage and support local businesses and provide the mechanism for the expansion of needed infrastructure, physical amenities, and other services. Based on this analysis, staff has determined that the request is consistent with the Parker 2035 Master Plan.
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OTHER MASTER PLANNING DOCUMENTS

OTHER PLANNING DOCUMENTS CONSISTENCY	
Other Planning Documents	Parker Road Corridor Plan
Policies/Guidelines/Strategies	N/A
Parker Road Corridor Plan Character Area Discussion	This parcel is located in the Central Sub Area which should include a mix of attractive commercial and employment-based land uses that fit with the smaller parcels of the area. This area should encourage supportive commercial and daily service uses that are not dependent on access from Parker Road.
Consistency Review	☐ Consistent ☐ Inconsistent ☒ N/A
Staff Analysis	This application predates the adoption of the Parker Road Corridor Plan (the Plan). The parcel is located in the area identified as High Value Frontage, which is contemplated to provide opportunities for significant redevelopment opportunities in the medium to long term. The proposed Use by Special Review does not preclude any recommendations of the Parker Road Corridor Plan.

V. LAND DEVELOPMENT ORDINANCE

ZONING CONSISTENCY - UBSR			
Provisions	Existing/Required	Proposed	Analysis
Setbacks	Front (Parker Road) – 40-feet Side – 20-feet Rear – 20-feet	Front (Parker Road) – 131.6-feet Side – 69.2-feet and 14.9-feet (legally nonconforming) Rear – 154.5-feet	☒ Consistent ☐ Inconsistent ☐ N/A
Density	N/A.	N/A. The proposal is for nonresidential use.	☐ Consistent ☐ Inconsistent ☒ N/A
Height/Stories	50-foot maximum	22.6-feet	☒ Consistent ☐ Inconsistent ☐ N/A
Lot Size	N/A.	1.049 acres	☐ Consistent ☐ Inconsistent ☒ N/A
Lot Coverage	N/A.	.059	☐ Consistent ☐ Inconsistent ☒ N/A
Landscaping	Title 13.06.070	Staff has evaluated the landscape plan as a part of the site plan amendment and determined the landscape requirements have been met.	☒ Consistent ☐ Inconsistent ☐ N/A
Off-Street Parking	Title 13.06.050	Staff has evaluated the parking as a part of the site plan amendment and determined the parking requirements have been met.	☒ Consistent ☐ Inconsistent ☐ N/A
Staff Analysis	No new structures are proposed as a part of this Use by Special Review. The landscape and parking requirements related to this use have been determined to meet the Town’s standards as a part of the site plan amendment application. The request is in compliance with the Land Development Ordinance.		

VI. APPROVAL CRITERIA

Title 13.04.200.b. Criteria for approval for Uses Permitted by Special Review:

1. Will be in harmony and compatible with the character of the surrounding areas and neighborhoods.

Applicant Response

The proposed use is in harmony and compatible with the character of the surrounding area. It is surrounded by other commercial properties. This is an existing building that has been there since 1978. The work to be done has minimal impact to the exterior look and feel of the building.

The work to the front (upper level) exterior includes upgrades for handicap accessibility (adding striping to the front parking lot, adding an accessible ramp, modifications to the existing steps to comply with accessibility). There will also be new parking lot lighting per Parker guidelines for safety. We will be adding steps from the front of the building to the back to accommodate pedestrian access between the two separate entries.

The work to the back of the exterior includes adding new fencing and turf in the dog play areas, a new accessible entry with new small roof canopy to keep rain and snow off the entry sidewalk, new overhead door with a row of glazing to filter light into the dog boarding space and new accessible door to the play area. The new doors will match the character of the existing building. We are also adding parking, including an ADA accessible space to the lower level (back) of the property to access the new dog boarding space. The building is not located adjacent to any residential areas. Overall, the changes that will come with this project will only enhance and beautify the surrounding neighborhood.

Staff Analysis

This is an existing facility that abuts commercial and light industrial uses on three sides. The fourth boundary is adjacent to Parker Road. There are no residential uses adjacent or nearby. Therefore, any impacts related to the proposed use are consistent with other similar impacts of nonresidential development.

Staff analysis has determined that the proposed use is compatible with the character of the surrounding areas and neighborhoods and this criterion has been met.

2. Will be consistent with the Town Master Plan.

Applicant Response

From the Town of Parker Master Plan concerning Revitalization and Economic Vitality:

"Parker's goal is to prevent the decline of our mature commercial areas by acting in a proactive manner where possible to prevent these areas from losing their desirability. Retaining and enhancing the vitality of the Town's maturing areas are critical priorities in maintaining the Town's overall economic health."

Parker Animal Hospital was constructed long before any of the surrounding businesses were here in Parker. As such, the lot on which it stands and the overall look of this area of Parker Road has a run-down look and feel to it. We are located right in the heart of that "mature commercial" area that needs to be revitalized. The exterior of the building was painted approximately 5 years ago to update the look and bring a more attractive appearance to drivers on Parker Road. We have added new, updated signage on the building and a new freestanding sign will soon be added along Parker Road to let the community know that we are still here after 48 years. Having a business that can proudly display that to the community shows there is a long-term presence in the town that provides evidence of stability and prosperity to new and prospective residents.

The "run-down" presentation of the current Animal Hospital's parking lot and surrounding features will be dramatically improved with the addition of a fresh-looking parking lot with a new, wider walk-up entrance to the facility. The Hospital will become ADA-compliant with the addition of proper ramps and separate ADA parking spaces. Landscaping added along the northern and Eastern borders of the property will visually elevate the property in the eyes of the public. Tens of thousands of cars pass this location daily right now and dismiss it as just another building. With the improvements we have planned, this location will soon be an attractive highlight on the North side of town; a distinctive landmark of which the Town and its residents can be proud.

We are consistent with the Master Plan. Parker Animal Hospital falls under the Central Commercial District, which says: "The Central Commercial District encompasses the commercial core of the Town. Due to its central location, with access to Parker Road, Dransfeldt Road and Twenty Mile Road and current land uses, growth in the Character Area should focus on core retail, services offices, lodging, restaurants, entertainment and, to a lesser extent, higher density residential uses..." The Master Plan also talks about a "full service community that requires a broad range of services and housing opportunities and the importance to locate the more intensive uses at Parker's center and along major highway corridors so that our single family neighborhoods on the periphery retain their family orientation, appearance, and protected open space." The Animal Hospital, plus the addition of animal boarding is a service in demand for the area and the Town of Parker as a whole. They are adding a complimentary service to their existing clinic which is not located adjacent to a residential area. They are adding convenience to their current loyal clients who wish to utilize dog boarding.

Another topic of concern that is included in the Master Plan (from Parker residents who participated in the 2012 outreach process is "Vacant Commercial Buildings: Participants believed that the Town should focus on incentivizing property owners to fill their vacant buildings." This is the exact direction the Parker Animal Hospital decided to go. Their existing Basement is vacant and currently under-utilized as it is only used for storage. The owners are proposing a conversion of this space to fill a void in the current availability for animal boarding. This also falls in line with the desire for "controlled growth" outlined in the Master Plan – utilizing existing space rather than a new building or addition at this time. They are also updating the entire site to Town of Parker standards (adding parking lot lighting, a trash enclosure, parking lot, pedestrian access from Parker Road, etc. per our plan submission).

Staff Analysis

The subject property is located within the Central Commercial Character Area of the Town. Due to its central location, with access to Parker Road, Dransfeldt Road and Twenty Mile Road, uses in this Character Area should include retail, services, offices, lodging, restaurants and entertainment.

The proposed use is consistent with the goals and strategies in the Master Plan to encourage and support local businesses and provide the mechanism for the expansion of needed infrastructure, physical amenities, and other services. Detailed analysis is provided in Section IV of this staff report. Additionally, this proposal does not preclude any of the recommendation of the Parker Road Corridor Plan as discussed in Section IV of this staff report.

Based on this analysis, staff has determined that the request is consistent with the Parker 2035 Master Plan and this criterion has been met.

3. Will not result in an over-intensive use of land.

Applicant Response

The use of the land will not be over-intensive. We are adding landscaping throughout per Town of Parker standards. The dog play area will be artificial turf. We are adding a small paved parking lot at the rear of the property, trash enclosure, and sidewalk to the lower level. A pedestrian path will be added along the northern side of the existing building allowing customers access to both the front and rear access points of the building. Both uses for the building will have ADA access and the Animal Hospital use of the building will now have an ADA space as well as ADA access. Previously no water quality measures existed on this property, a water quality drainage swale (with 4" underdrain) will be installed to treat the minimal increase in imperviousness to the property as well as treat the site as a whole to improve the water quality leaving the property.

Staff Analysis

There is no indication from the submitted site plan amendment documents or from referral agencies that the proposed use would result in over-intensive use of the land. Specific site analysis is found in Section V of this staff report

Staff analysis has determined that the proposal is compliant with this criterion.

4. Will not have a material adverse effect on community capital improvement programs.

Applicant Response

The owners of Parker Animal Hospital have been in regular contact with members of the P3 group that is directly looking at ways to improve the look and use of the Parker Road corridor in our area over the past year. Those members know of the plans that the Hospital has and have been privy to multiple discussions concerning them.

As such, no capital improvements have been communicated that would conflict with the plans of Parker Animal Hospital and this new boarding facility.

Staff Analysis

This is an existing building with existing infrastructure and access. No additional improvements or conflicts with planned capital projects were identified by the Town or other referral agencies during review.

Staff analysis has determined that the proposal is compliant with this criterion.

5. Will not require a level of community facilities and services greater than that which is available.

Applicant Response

The additional use will not require a level of community facilities and services greater than that which is available. Based on engineering assessments, any additional need for water, electricity, gas, sewage, etc. for this project will not exceed the current abilities and facilities of the Town of Parker. This project will actually work in conjunction with a pending IREA easement project that will reduce power line issues on the western side of our property. We will be adding a modern, efficient switchboard to our building that will increase the safety and efficiency of the local power grid.

Staff Analysis

This proposal has been reviewed by all relevant utility providers. No additional facility or service needs have been identified by the Town or other referral agency responses.

Staff analysis has determined that the proposal is compliant with this criterion.

6. Will not result in undue traffic congestion or traffic hazards.

Applicant Response

Per our traffic study, the existing animal hospital and proposed remodel would add minimal traffic volume to the surrounding road network. With the proposed remodel the site would see a maximum increase of 9 trips in the AM peak hour and 10 trips in the PM peak hour. Much of the boarding will be support for existing hospital use and would likely not result in the number of trips calculated above. This slight increase in traffic is to exit southbound onto Parker Road. We estimate that the busiest time of the day will be when the daycare facility opens and dogs can be dropped off. At that time of day, that side of Parker Road experiences much lighter traffic than the northbound side. The typical Parker commuter shouldn't even notice any increase in driveway traffic due to the boarding facility.

Staff Analysis

The applicant submitted a traffic generation memo that has been reviewed and approved by Town of Parker Engineering. No indications of undue traffic congestion or hazards resulting from the proposed use have been identified by the Town or other referral agency responses.

Staff analysis has determined that the proposal is compliant with this criterion.

7. Will not cause significant air, water, or noise pollution.

Applicant Response

There will be no significant air, water or noise pollution. Parker Animal Hospital has been in business in this location for 40 years with no prior complaints regarding noise, air, or water issues. We endeavor to operate the new kennel in the same manner with the same stringent standards of care.

A more extensive discussion of how we plan on dealing with our pet waste can be found in the Operational Information document.

Inspections and licensing by the Colorado Department of Agriculture (under the Pet Animal Care Facilities Act - PACFA) will ensure proper regulations are being followed. With the additional use of outdoor play areas, professional management of any noise will be controlled to the best practices of the industry. A large kennel of 80-100 dogs left unattended can produce between 95-110 decibels. One dog barks at about 60 decibels. The heavy traffic on Parker Rd. can produce a constant 80 decibels. In this case, small groups of 10-15 dogs will be outside the rear of the building playing in their fenced in play yards. They will be supervised constantly by a qualified human attendant and only outside during work hours. Any impact on the immediate area will be negligible regarding noise. In this case of PAH, the possible noise produced by their dog clientele will be kept to a minimum and the Team will be extremely conscious of any barking and how it may or may not disturb neighboring businesses. Any noise produced will not exceed state regulations, referenced below, nor will it produce an environmental noise hazard in the area.

25-12-103 Maximum permissible noise levels

(1) Every activity to which this article is applicable shall be conducted in a manner so that any noise produced is not objectionable due to intermittence, beat frequency, or shrillness.

Sound levels of noise radiating from a property line at a distance of twenty-five feet or more therefrom in excess of the db(A) established for the following time periods and zones shall constitute prima facie evidence that such noise is a public nuisance:

Zone Maximum Sound Level dB(A) 7 am to 7 pm 7pm to 7 am

Residential 55 50

Commercial 60 55

Light Industrial 70 65

Industrial 80 75

(2) In the hours between 7:00 a.m. and the next 7:00 p.m., the noise levels permitted in subsection (1) of this section may be increased by ten db(A) for a period of not to exceed fifteen minutes in any one-hour period.

Staff Analysis

The site is currently served by the Parker Water and Sanitation District (PWSD). PWSD provides properly treated water and waste water. Pet waste disposal is to be provided by a specialized dog waste removal protocol, which is outlined in the Operations Information document. The applicant has provided an analysis of how the proposal will maintain compliance with state noise requirements.

Staff analysis has determined that the proposal is compliant with this criterion.

8. Will be adequately landscaped, buffered and screened.

Applicant Response

Landscaping and fencing are included in the site plan development.

Staff Analysis

Landscaping that will adequately buffer and screen the newly fenced area of the site has been reviewed as a part of the site plan amendment application and determined to meet the Town's requirements.

Staff analysis has determined that the proposal is compliant with this criterion

9. Will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of the Town.

Applicant Response

The addition of animal boarding will not be detrimental to the health, safety or welfare of the inhabitants of the Town.

Staff Analysis

The impacts created by kennel and pet daycare uses will be minimal if approved subject to the proposed conditions. The applicant will work to ensure pet health and welfare and ensure that the facility will not be detrimental to the health, safety or welfare of present or future inhabitants of the Town.

Staff analysis has determined that the proposal is compliant with this criterion

SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
Centennial Airport	No Comment
Century Link	No Comment
Comcast	No Response
Comprehensive Planning	Advisory Comments -The Parker 2035 Master Plan shows this property in the Central Commercial Character Area which allows for a variety of commercial uses. The kenneling of animals may be appropriate in this character area subject to mitigation of off-site nuisances.
Economic Development	Approved
Fire Life Safety	No issues with UBSR
Xcel	Approved
IREA	Approved
Parker Water & Sanitation	Approved
Town of Parker Engineering	Approved
Building	Advisory comments related to associated site plan

VII. CONCLUSION

The addition of a boarding and pet daycare facility will provide a necessary and unique service to Parker residents and their pets. The impacts created by the additional use will be mitigated by the proposed conditions. After evaluating the information provided by the applicant, staff has determined that the requested use meets, or can meet subject to conditions, the nine approval criteria set forth in the Land Development Ordinance and outlined in Section VI of this staff report.

VIII. RECOMMENDED CONDITIONS

1. That the Use by Special Review Project Narrative and Nine Criteria document submitted to the Community Development Department on March 11, 2020, shall be the approved Use by Special Review materials.
2. Operations at the facility shall comply with the 'Operational Information' document uploaded on February 17, 2020.
3. A building permit shall be required for any interior or exterior work completed on site.
4. A Pet Animal Care Facilities Act (PACFA) license is required. The use shall be in compliance with all (PACFA) requirements at all times.

5. This approval shall expire twelve (12) months after the date of approval unless a building permit has been applied for. The Community Development Director, upon written request, may grant a ninety-(90) day extension.

IX. ATTACHMENTS

1. Applicant's Project Narrative
2. Applicant's Operations Manual
3. Referral Comments

Report Approved By: Paul Workman, Senior Planner



March 11, 2020 *Amended Narrative*

Parker Animal Hospital – Project Narrative
10225 S. Parker Road
Parker, CO 80134

Parker Animal Hospital is proposing to add an additional use to their existing animal hospital. The new use will be dog and cat boarding and daycare. The existing Animal Hospital use takes place on the upper/main level of the current building with the client entry facing East. The boarding and daycare facilities would be located on the lower level of the building which is not currently being actively used by the Animal Hospital. This new use would require a renovation of the lower level existing space to properly house animals. The entrance for this lower level would be on the West side of the current building, very close to the Northwestern corner. This exit/entrance would not be visible from Parker Road.

About The Business:

Parker Animal Hospital has been in business since 1972 and has been at its current location since 1978. It started as a mixed animal practice (seeing large and small animals) with the large animal portion of the hospital being housed in the basement of the animal hospital.

As the previous owners aged, the large animal side of the business gradually fell away and the practice limited itself to small animal patients only. That left a very large empty area of the building, as well as a large outdoor area in the rear of the property with no purpose or usage.

The current owners would like to renovate the basement to provide dog and cat overnight boarding and day play for dogs only. These services have been frequently requested by the clients of Parker Animal Hospital for some time. Currently, these clients utilize other kennels in the area for these services.

The animals will be boarded in what is currently the unoccupied basement level of the Animal Hospital. The outdoor "exercise" areas will be on the western side of the building completely hidden from current clients and anyone passing by on Parker Road. Fencing will prohibit anyone from being able to see into these areas as well as helping to cut down on the amount of barking heard nearby.

We will have no breed restrictions at our kennel, but we will reserve the right to exclude any dogs that exhibit aggressive behavior towards dogs or humans.

There will be constant direct supervision of any animals in the outdoor areas. Waste will be removed immediately and each area will be cleaned and disinfected several times daily. Using artificial turf as the base for the exercise areas will greatly restrict any potential environmental impact.

This constant supervision will also help to curtail excessive barking while the animals are outside. There will be indoor exercise areas as well for those times when the weather doesn't permit outside play or there is a particular animal(s) that needs a more secluded exercise area.

Parker Animal Hospital's boarding and day play facility would be different from every other similar service in town due to its tight relationship with Parker Animal Hospital. Veterinarians would be on site during working hours as well as on-call for any potential emergencies that boarding animals may experience.

This level of veterinary supervision is not currently found within a 10-mile radius of Parker Animal Hospital and we feel that many clients will feel more secure leaving their animals at a facility such as ours than other kennels. Also, very few locations in the Parker area will actually take in chronically ill or elderly animal patients for boarding. This severely restricts pet owners who struggle to find adequate and expert pet care when they need to leave town for a time.

Hours of operation (when staff will be present) will start at 7 a.m. and end at 6 p.m. at night. While these are our "staffed hours," we know that there may be schedule adjustments in the future to better manage our boarders. Actual "open" hours where the public will be able to "drop-off" or "pick-up" their pets will be from 7 a.m. – 9 a.m. and 3:30 p.m. – 6 p.m.

There will be no day play activities on Saturday or Sunday, and our "open" hours will be even more tightly restricted to limit when the public is able to enter the facility. We will be open on Saturday from 9 a.m. – 12 p.m. and closed to the general public on Sundays. We do plan on discharging boarders on Sunday by appointment only. We plan on maximizing communication with boarding and day play clients via the use of text messages. This will allow a high level of service and minimize communication difficulties with clients.

Security and supervision of the facility will be accomplished by expanding existing security equipment with ADT. However, private security monitoring will also be present via a remote video and audio feed to at least one of the owner's residences to monitor potential issues that can arise when staff are not present. One of the owners lives just a few miles away and can get to the facility within 7 minutes in cases of emergency.

Parker Animal Hospital takes great pride in our current facilities being clean and comfortable for our patients, clients, and employees. If there are issues with noise and smell, we will be the first ones affected so it will be in our best interest to maintain those high standards after the boarding facility is opened.

Parker Animal Hospital also values strong relationships with its neighbors and so every effort will be made to ensure that the surrounding businesses aren't affected by our business expansions. This will be done by the use of periodic phone calls and personal visits to these businesses to ensure that there are no issues. One of the owners (Dr. Hayes) visited every single neighbor in December that could directly be affected by a kennel and encountered no resistance or objection from anyone. She left personal business cards with every one of these neighbors so they could reach out if they had any future concerns.

PACFA licensure was applied for by Hayes and Bigbee LLC on February 11, 2020, and is pending approval.

Per Town of Parker 9 criteria, the proposed use:

(1) Will be in harmony and compatible with the character of the surrounding areas and neighborhood:

The proposed use is in harmony and compatible with the character of the surrounding area. It is surrounded by other commercial properties. This is an existing building that has been there since 1978. The work to be done has minimal impact to the exterior look and feel of the building.

The work to the front (upper level) exterior includes upgrades for handicap accessibility (adding striping to the front parking lot, adding an accessible ramp, modifications to the existing steps to comply with accessibility). There will also be new parking lot lighting per Parker guidelines for safety. We will be adding steps from the front of the building to the back to accommodate pedestrian access between the two separate entries.

The work to the back of the exterior includes adding new fencing and turf in the dog play areas, a new accessible entry with new small roof canopy to keep rain and snow off the entry sidewalk, new overhead door with a row of glazing to filter light into the dog boarding space and new accessible door to the play area. The new doors will match the character of the existing building. We are also adding parking, including an ADA accessible space to the lower level (back) of the property to access the new dog boarding space. The building is not located adjacent to any residential areas. Overall, the changes that will come with this project will only enhance and beautify the surrounding neighborhood.

(2) Will be consistent with the Town Master Plan:

From the Town of Parker Master Plan concerning Revitalization and Economic Vitality:

"Parker's goal is to prevent the decline of our mature commercial areas by acting in a proactive manner where possible to prevent these areas from losing their desirability. Retaining and enhancing the vitality of the Town's maturing areas are critical priorities in maintaining the Town's overall economic health."

Parker Animal Hospital was constructed long before any of the surrounding businesses were here in Parker. As such, the lot on which it stands and the overall look of this area of Parker Road has a run-down look and feel to it. We are located right in the heart of that "mature commercial" area that needs to be revitalized. The exterior of the building was painted approximately 5 years ago to update the look and bring a more attractive appearance to drivers on Parker Road. We have added new, updated signage on the building and a new freestanding sign will soon be added along Parker Road to let the community know that we are still here after 48 years. Having a business that can proudly display that to the community shows there is a long-term presence in the town that provides evidence of stability and prosperity to new and prospective residents.

The "run-down" presentation of the current Animal Hospital's parking lot and surrounding features will be dramatically improved with the addition of a fresh-looking parking lot with a new, wider walk-up entrance to the facility. The Hospital will become ADA-compliant with the addition of proper ramps and separate ADA parking spaces. Landscaping added along the northern and Eastern borders of the property will visually elevate the property in the eyes of the public. Tens of thousands of cars pass this location daily right now and dismiss it as just another building. With the improvements we have planned, this location will soon be an attractive highlight on the North side of town; a distinctive landmark of which the Town and its residents can be proud.

We are consistent with the Master Plan. Parker Animal Hospital falls under the Central Commercial District, which says: "The Central Commercial District encompasses the commercial core of the Town. Due to its central location, with access to Parker Road, Dransfeldt Road and Twenty Mile Road and current land uses, growth in the Character Area should focus on core retail, services offices, lodging, restaurants, entertainment and, to a lesser extent, higher density residential uses..." The Master Plan also talks about a "full service community that requires a broad range of services and housing opportunities and the importance to locate the more intensive uses at Parker's center and along major highway corridors so that our single family neighborhoods on the periphery retain their family orientation, appearance, and protected open space." The Animal Hospital, plus the addition of animal boarding is a service in demand for the area and the Town of Parker as a whole. They are adding a complimentary service to their existing clinic which is not located adjacent to a residential area. They are adding convenience to their current loyal clients who wish to utilize dog boarding.

Another topic of concern that is included in the Master Plan (from Parker residents who participated in the 2012 outreach process is "Vacant Commercial Buildings: Participants believed that the Town should focus on incentivizing property owners to fill their vacant buildings." This is the exact direction the Parker Animal Hospital decided to go. Their existing Basement is vacant and currently under-

utilized as it is only used for storage. The owners are proposing a conversion of this space to fill a void in the current availability for animal boarding. This also falls in line with the desire for “controlled growth” outlined in the Master Plan – utilizing existing space rather than a new building or addition at this time. They are also updating the entire site to Town of Parker standards (adding parking lot lighting, a trash enclosure, parking lot, pedestrian access from Parker Road, etc. per our plan submission).

(3)Will not result in an over-intensive use of land:

The use of the land will not be over-intensive. We are adding landscaping throughout per Town of Parker standards. The dog play area will be artificial turf. We are adding a small paved parking lot at the rear of the property, trash enclosure, and sidewalk to the lower level. A pedestrian path will be added along the northern side of the existing building allowing customers access to both the front and rear access points of the building. Both uses for the building will have ADA access and the Animal Hospital use of the building will now have an ADA space as well as ADA access. Previously no water quality measures existed on this property, a water quality drainage swale (with 4” underdrain) will be installed to treat the minimal increase in imperviousness to the property as well as treat the site as a whole to improve the water quality leaving the property.

(4)Will not have a material adverse effect on community capital improvement programs:

The owners of Parker Animal Hospital have been in regular contact with members of the P3 group that is directly looking at ways to improve the look and use of the Parker Road corridor in our area over the past year. Those members know of the plans that the Hospital has and have been privy to multiple discussions concerning them. As such, no capital improvements have been communicated that would conflict with the plans of Parker Animal Hospital and this new boarding facility.

(5)Will not require a level of community facilities and services greater than that which is available:

The additional use will not require a level of community facilities and services greater than that which is available. Based on engineering assessments, any additional need for water, electricity, gas, sewage, etc. for this project will not exceed the current abilities and facilities of the Town of Parker. This project will actually work in conjunction with a pending IREA easement project that will reduce power line issues on the western side of our property. We will be adding a modern, efficient switchboard to our building that will increase the safety and efficiency of the local power grid.

(6)Will not result in undue traffic congestion or traffic hazards:

Per our traffic study, the existing animal hospital and proposed remodel would add minimal traffic volume to the surrounding road network. With the proposed remodel the site would see a maximum increase of 9 trips in the AM peak hour and 10 trips in the PM peak hour. Much of the boarding will be support for existing hospital use and would likely not result in the number of trips calculated above. This slight increase in traffic is to exit southbound onto Parker Road. We estimate that the busiest time of the day will be when the daycare facility opens and dogs can be dropped off. At that time of day, that side of Parker Road experiences much lighter traffic than the northbound side. The typical Parker commuter shouldn't even notice any increase in driveway traffic due to the boarding facility.

(7)Will not cause significant air, water or noise pollution:

There will be no significant air, water or noise pollution. Parker Animal Hospital has been in business in this location for 40 years with no prior complaints regarding noise, air, or water issues. We endeavor to operate the new kennel in the same manner with the same stringent standards of care.

A more extensive discussion of how we plan on dealing with our pet waste can be found in the Operational Information document.

Inspections and licensing by the Colorado Department of Agriculture (under the Pet Animal Care Facilities Act - PACFA) will ensure proper regulations are being followed. With the additional use of outdoor play areas, professional management of any noise will be controlled to the best practices of the industry. A large kennel of 80-100 dogs left unattended can produce between 95-110 decibels. One dog barks at about 60 decibels. The heavy traffic on Parker Rd. can produce a constant 80 decibels. In this case, small groups of 10-15 dogs will be outside the rear of the building playing in their fenced in play yards. They will be supervised constantly by a qualified human attendant and only outside during work hours. Any impact on the immediate area will be negligible regarding noise. In this case of PAH, the possible noise produced by their dog clientele will be kept to a minimum and the Team will be extremely conscious of any barking and how it may or may not disturb neighboring businesses. Any noise produced will not exceed state regulations, referenced below, nor will it produce an environmental noise hazard in the area.

25-12-103 Maximum permissible noise levels

(1) Every activity to which this article is applicable shall be conducted in a manner so that any noise produced is not objectionable due to intermittence, beat frequency, or shrillness.

Sound levels of noise radiating from a property line at a distance of twenty-five feet or more therefrom in excess of the db(A) established for the following time periods and zones shall constitute prima facie evidence that such noise is a public nuisance:

Zone Maximum Sound Level dB(A) 7 am to 7 pm 7pm to 7 am
Residential 55 50
Commercial 60 55
Light Industrial 70 65
Industrial 80 75

(2) In the hours between 7:00 a.m. and the next 7:00 p.m., the noise levels permitted in subsection (1) of this section may be increased by ten db(A) for a period of not to exceed fifteen minutes in any one-hour period.

(8)Will be adequately landscaped, buffered and screened:

Landscaping and fencing are included in the site plan development.

(9)Will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of the Town:

The addition of animal boarding with not be detrimental to the health, safety or welfare of the inhabitants of the Town

Sincerely,

Michelle Miller
jigsaw design, LLC
720.339.3447 mobile
720.225.9323 office
888.845.6890 fax

Operational Information

- 1) With 28 dog kennels, we estimate that the maximum number of dogs that we might hold at any one time would be 39. Some of the kennels would be large enough to accommodate two dogs from the same family. We expect to board no more than 4 cats at any one time.
- 2) With regards to employees present during working hours, here is how we plan to utilize our staff:
 - a. The dogs that are in the outdoor area for day play will always have one attendant present to supervise. As we are planning for no more than 10 dogs daily for drop-off day play, only one attendant will need to be present with them (PACFA regulations are 1 staff member per 15 dogs supervised at the most).
 - b. Another staff member will need to stay outside with dogs that are having their boarding areas cleaned. The third attendant will do the cleaning. It's possible that in the early morning (6:30 a.m. – 8:00 a.m.), a fourth attendant may also be present for a short period to help with feeding and cleaning.
 - c. In total, 2-3 employees will be present during the vast majority of the working hours.
- 3) Dog waste disposal is a difficult but necessary issue that every facility that deals with animals must contend with:
 - a. We are financially unable at this time to add an underground “septic connection” for the kennel which would allow disposal of solid waste directly into the sewer lines.
 - b. Adding an indoor flushing unit (a toilet that would be mounted on a wall and separate from the human bathroom) will be problematic from a sanitary perspective. We are also not wanting to use more water in our facility than we absolutely need to. Disposing of dog waste via an extra toilet will also add to the solid waste of Parker as a whole and isn't what we want to do.
 - c. After conducting a phone survey of multiple kennels in the Parker area, we discovered that almost everyone exclusively disposes of their solid waste in their dumpster. This is the only option for many facilities as they can't do the above measures such as the flushing unit, etc. This is legal and a common practice by (likely) all the kennels in Colorado. This is how we had originally planned on disposing of the dog waste.
 - d. However, after some extensive research, we have come up with a potential alternative that we plan on utilizing for our boarding facility:
 - i. Pet Scoop (<https://www.petscoop.com/>) is a dog waste removal business that operates all over Denver. They are working in conjunction with a company called EnviroWagg (<https://envirowagg.com/>) that produces dog waste-based compost.
 - ii. Pet Scoop would provide us with 20-gallon containers that we would line with compostable bags. We would pick up any solid waste matter after every outdoor session of our boarders. We also would be continuously picking up the waste from dogs in the day play area. This waste would be placed in smaller compostable bags that would be tied off and placed into the larger container. This container would be sealed and placed outside the physical facility but

within the fencing of the business. Any odor would be minimized with proper handling of the waste.

- iii. Pet Scoop will then come and empty the container(s) twice weekly. They then take the compostable bags up to Envirowagg's location for composting. We would attempt to dispose of all the dog waste in this manner. However, there may be times when we might need to bag it and place it in the regular trash (unforeseen circumstances such as inclement weather making it impossible for Pet Scoot to come for a pickup at times).
- iv. The expenses for this service will likely cost us \$280 - \$320 per month, depending on how many containers we have.
- e. In regard to normal cleaning procedures, outdoor play areas will be cleaned and disinfected with organic cleaning products multiple times daily to maintain cleanliness and proper hygiene.

Julie Hayes, DVM

Parker Animal Hospital

Donna George no conflict with added use 11/20/2019 7:12:49 AM	Public Service Company of Colorado 20
Carolyn Parkinson Please see Development Review attached. 11/21/2019 3:36:03 PM	USE BY SPECIAL REVIEW 20
Bryce Matthews The Parker 2035 Master Plan shows this property in the Central Commercial Character Area which allows for a variety of commercial uses. The kenneling of animals may be appropriate in this character area subject to mitigation of off site nuisances. 11/25/2019 3:37:54 PM	Comprehensive Planning 20
Randy Capra I have no issue with the rezoning application; the SP issues have yet to be resolved. See below: The applicant has not addressed the comments noted below; address comments fully when resubmitting: - The new parking lot creates a long dead end that exceeds 150 feet; an approved hammerhead or turn-around is required for this parking lot. - Access road and parking shall be either constructed of asphalt or concrete. -Provide an auto turn analysis for the required hammerhead; the applicant can contact me directly at rcapra@parkeronline.org for specs on South Metro Fire Apparatus if they are not currently in possession of this information. - The site plan kennel locations will be evaluated for egress at time of building/fire life safety review. Egress/gate swing could be an issue. A full analysis of the building egress should be provided at time of building submittal. 1/22/2020 7:51:58 AM	FIRE LIFE SAFETY 15
Carolyn Parkinson Please see 2nd development review memo and redline narrative attached. 2/11/2020 9:41:04 AM	USE BY SPECIAL REVIEW 15
Carolyn Parkinson One minor correction needed to narrative. Scheduling of public hearing pending. 2/27/2020 4:26:40 PM	USE BY SPECIAL REVIEW 10



Planning Commission Staff Report

Planning Commission Date: 4/9/2020

Town Council Date: 5/4/2020

Hearing Type: Public Hearing
LOT 2, MARK SIX BUSINESS SUBDIVISION
PROPERTY – Rezone
TRAKiT No.: Z18-021

Location: 18800 Clarke Road

Project Planner: BrieAnna Simon, Associate Planner

Applicant: John Kopasz

Executive Summary: The applicant, John Kopasz, is requesting a rezoning for the Mark Six Office/Warehouse Condominiums from C-Commercial to LI - Light Industrial. The site is located on the south side of Clarke Road east of Dransfeldt Road.

Staff Recommendation: Approval

RECOMMENDED MOTION

“I move the Planning Commission recommend Town Council approve the Lot 2, Mark Six Business Subdivision Property rezoning request.”

ALTERNATIVE MOTIONS

“I move the Planning Commission recommend Town Council deny the Lot 2, Mark Six Business Subdivision Property rezoning request.”

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

“I move the Planning Commission vote to continue the Lot 2, Mark Six Business Subdivision Property rezoning request.”

I. BACKGROUND/DISCUSSION

The property site consists of portion of the Mark Six Business Subdivision, which was originally annexed and zoned as part of the Town’s original incorporation in 1981. The property is currently zoned Commercial. The Mark Six Business Subdivision is predominately light industrial in nature. The Mark Six Office Warehouse Condos, provides roll-up door rear access typically found with light industrial uses.

Over time, the Town updates and maintains the Land Development Ordinance including criteria for zoning districts. The Town has removed some light industrial uses from the original 1983 zoning that were determined not to be compatible in commercial areas of Town. Since the original annexation, both Lot 3A and Lot 5 within the Mark Six Business Subdivision have been rezoned to light industrial to align with the building construction and the character of the area.

The applicant proposes to rezone the property from Commercial to Light Industrial. The Parker 2035 Master Plan shows this property in the Light Industrial Character Area, the proposed rezoning will allow for limited light industrial uses by right on the properties which aligns with the Parker 2035 Master Plan. Staff has reviewed this proposed against the nine (9) criteria for rezoning set forth in the Land Development Ordinance and has determined that the criteria have been met.

Vicinity Map



II. PRIOR ACTIONS

Date	Action
5/1981	Town Incorporation (410-88)
04/04/1986	Warehouse/Retail Site Plan Approval
12/17/1986	Mark Six Office Warehouse Condo Plat Approved

III. CURRENT SITE DATA

Existing Zoning	C - Commercial District		
Overlay District	Light Industrial Conservation Industrial District		
PD & Plan Area	None		
Master Plan Area	Light Industrial		
Site Acreage	1 Acres		
Subdivision	Mark Six Business Subdivision		
Existing Use	The existing building consists of five condominiums with various light-industrial uses.		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Light Industrial	C - Commercial District	Light Industrial – DBC Irrigation Supply Parker
South	Central Commercial	PD - Planned Development	Multi-Family Residential – Briargate on Main
East	Light Industrial	LI - Light Industrial	Commercial – Volleyball Club
West	Light Industrial	C - Commercial District	Commercial – Scale Gymnastics

IV. PARKER 2035 MASTER PLAN

[Parker 2035 Master Plan | Town of Parker - Official Website](#)

MASTER PLAN CONSISTENCY	
Master Plan Designation	Light Industrial ☒ Consistent ☐ Inconsistent
Master Plan Character Discussion	The Light Industrial District is centrally located with properties that generally serve smaller local light industrial businesses that supply local, regional and sometimes national markets. This character area is intended to provide a location for a variety of work processes such as manufacturing, machine shops, production facilities, distribution facilities, flex office, commercial services and other uses of similar research and development, high tech and medical device manufacturing firms that have a synergistic relationship. Processes and land uses within this character area will be low impact in nature and not create or cause fumes, odor noise, vibration or other impacts which are detrimental to abutting properties or land uses. Special care should be taken to ensure that uses not compatible with the light industrial uses proposed within the character area are located in other more appropriate areas of Town. Public Facilities are appropriate within the character area.

Consistent Goals/Strategies	Land Use 1.A Land Use 1.C
Inconsistent Goals/Strategies	None
Staff Analysis	The property is located within the Light Industrial Character Area of the Parker 2035 Master Plan. The Parker 2035 Master Plan identifies the Light Industrial Character Area as providing for a variety of work processes such as manufacturing, machine shops, production facilities, distribution facilities, flex office, commercial services and other uses of similar research and development, high tech and medical device manufacturing firms that have a synergistic relationship. The existing building is designed to support many of the small light industrial uses supported by the Light Industrial Character Area. The proposed rezone will be consistent with the surrounding uses and be compatible with the Light Industrial character are of the Parker 2035 Master Plan.

V. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

This property has vehicular access from Clarke Road. There are no proposed changes to the existing vehicular access or traffic circulation.

VI. APPROVAL CRITERIA

Title 13.04.240.f. Criteria for approval for amendments to the land use ordinance or zoning map:

1. A need exists for the proposal;

Applicant analysis and findings:

There is a need for light industrial zoning in the Town of Parker to accommodate light industrial businesses that provide needed services within Town.

Staff analysis and findings:

The proposed property is located within and surrounded on three sides by the Light Industrial Character Area described in the Parker 2035 Master Plan. The existing building is light industrial in character and design. The proposed rezoning allows for uses that are in harmony and compatible with the character of the surrounding uses. The proposed amendment will better serve the public and Town by meeting the intent of the Town's Master Plan.

Therefore, staff has determined that this criterion can be satisfied.

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

Applicant analysis and findings:

The site is currently developed for multi-tenant uses that can accommodate light industrial uses. Additionally, the area around this site is already developed for commercial and light industrial uses.

Staff analysis and findings:

The proposed property is located within and surrounded on three sides by the Light Industrial Character Area of the Parker 2035 Master Plan. The Parker 2035 Master Plan identifies land uses within this character area to generally serve smaller local light industrial businesses that supply local, regional and sometimes national markets. The proposed rezoning will align with the Town's Master Plan and provide compatibility with the surrounding land uses.

Therefore, staff has determined that this criterion can be satisfied.

3. There has been an error in the original zoning; or

Applicant analysis and findings:

N/A

Staff analysis and findings:

There was not an error in the original zoning.

4. There have been significant changes in the area to warrant a zone change;

Applicant analysis and findings:

The area around this property has developed as a mix of commercial and light industrial uses. The requested light industrial zoning would reflect the historical development patterns of the area.

Staff analysis and findings:

The properties were annexed, zoned and platted in the late 1980s. Since then the uses historically found within the Mark Six Office Warehouse Condominium building have been light industrial in nature. The proposed rezone will ensure uses historically found within this building are permitted uses. Much of the recent development within the Light Industrial Character Area, outside of the Mark Six Business Subdivision have been light industrial in nature. The Town continues to be concerned about accommodating future industrial uses that provide direct economic benefits and employment to the Town. The proposed rezoning preserves additional light industrial land.

Therefore, staff has determined that this criterion can be satisfied.

5. Adequate circulation exists and traffic movement would not be impeded by development; and.

Applicant analysis and findings:

This change does not change traffic flows.

Staff analysis and findings:

This development has existing vehicular access from Clarke Road. The proposed uses are not anticipated to generate significant traffic volumes beyond what the development has been designed for or lead to congestion which might result in undue traffic hazards.

Therefore, staff has determined that this criterion can be satisfied.

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

Applicant analysis and findings:

No added cost to the Town would exist because of this change.

Staff analysis and findings:

The overall development was initially constructed to accommodate industrial uses. This light industrial character is not anticipated to generate demand for additional municipal services (police, street maintenance, drainage facility maintenance, etc.) beyond which the Town currently provides. Therefore, the proposed uses will not require a level of community facilities and services greater than presently available to serve the properties.

Therefore, staff has determined that this criterion can be satisfied.

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

Applicant analysis and findings:

There is no change in the environmental impacts.

Staff analysis and findings:

The property is located within the light industrial area of the Town. The existing development and area was designed and built for light industrial uses. The zoning is intended to provide a location for a variety of work processes such as manufacturing, machine shops, production facilities, distribution facilities, flex office, commercial services and other uses of similar research and development, high tech and medical device manufacturing firms that have a synergistic relationship. The uses proposed with this rezoning will not create or cause fumes, odor noise, vibration or other impacts which are detrimental to abutting properties or land uses and will be reviewed through the Town's Site Plan process. All uses will be required to meet the Town of Parker Municipal Code in order to minimize and/or mitigate any environmental impacts.

Therefore, staff has determined that this criterion can be satisfied.

8. The proposal is consistent with the Town Master Plan maps, goals and policies.

Applicant analysis and findings:

The Town's General Land Use Plan identifies the subject property and surrounding area for light industrial uses. Therefore, the requested rezoning would align the zoning of the subject property with the Town's General Land Use Plan.

Staff analysis and findings:

The proposed property is located within and surrounded on three sides by the Light Industrial Character Area of the Parker 2035 Master Plan. Amending the zoning to Light Industrial is supported by and meets the intent of the Parker 2035 Master Plan. Alignment with the Parker 2035 Master Plan is further described in Section IV. of this report.

Therefore, staff has determined that this criterion can be satisfied.

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 analysis and findings:

This change does not have any negative impact to water, sewer, schools, parks or recreation.

Staff analysis and findings:

The Town has planned for development in this area to include light industrial uses. This light industrial character is not anticipated to generate demand for additional municipal facilities (parks, recreation center usage, etc.) beyond which the Town currently provides. Therefore, the proposed rezoning will not require a level of community facilities and services greater than presently available to serve the properties.

Therefore, staff has determined that this criterion can be satisfied.

VII. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
Comprehensive Planning	This property is located in the Light Industrial Character Area of the Parker 2035 Master Plan. Rezoning this property to Light Industrial will be in compliance with the Parker 2035 Master Plan.
Economic Development	No comment.
Fire Life Safety	No comment.
IREA	No comment.
Parker Authority for Reinvestment	P3 supports the change in zoning from commercial to light industrial. The Master Plan supports this type of zoning.
Parker Water and Sanitation District	No comment.
Police	No comment.

Public Service Company	Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the Mark Six Office/Warehouse Condominium Rezone. Please be advised that Public Service Company has existing natural distribution facilities within the areas indicated in this proposed rezone. Public Service Company has no objection to this proposed rezone, contingent upon PSCo'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. Should the project require any new natural gas service or modification to existing facilities, the property owner/developer/contractor must complete the application process via xcelenergy.com/InstallAndConnect.
South Metro Fire	No comment.
Town of Parker - Engineering	No comment.

VIII. CONCLUSION

The proposed rezoning to Light Industrial will bring the property into alignment with the Parker 2035 Master Plan. Staff has reviewed this proposal against the nine (9) criteria for rezoning set forth in the Land Development Ordinance and has determined that the criteria have been met. After evaluating the information provided by the applicant against the nine approval criteria, staff recommends that Planning Commission recommend that Town Council approve the request.

IX. RECOMMENDED CONDITIONS

Staff recommends that the Planning Commission recommend that the Town Council approve the Lot 2, Mark Six Business Subdivision Property rezoning request.

X. ATTACHMENTS

1. Applicant's Project Narrative
2. Rezoning Map
3. Draft Ordinance

Report Approved By: Bryce Matthews, Planning Manager

Narrative

I am requesting a rezoning for the Mark 6 Office/Warehouse Condominiums from C-Commercial to LI - Light Industrial. The site is located on the south side of Clarke Drive east of Dransfeldt Road.

In response to the factors for the zoning change:

1. A need exists for the proposal:

There is a need for light industrial zoning in the Town of Parker to accommodate light industrial businesses that provide needed services within Town.

2. The site is currently developed for multi-tenant uses that can accommodate light industrial uses. Additionally, the area around this site is already developed for commercial and light industrial uses.

**3. There has been an error in the original zoning; or
N/A**

4. There have been significant changes in the area to warrant a zone change:

The area around this property has developed as a mix of commercial and light industrial uses. The requested light industrial zoning would reflect the historical development patterns of the area.

5. Adequate circulation exists and traffic movement would not be impeded by development; and this change does not change traffic flows.

6. Additional municipal service costs will not be incurred which the Town is not prepared to meet: No added costs to the town would exist because of this change.

**7. There are minimal environmental impacts or impacts can be mitigated:
There is no change in environmental impacts.**

8. The proposal is consistent with the Town Master Plan map, goals and policies:

The Town's General Land Use Plan identifies the subject property and the surrounding area for light industrial uses. Therefore, the requested rezoning would align the zoning of the subject property with the Town's General Land Use Plan.

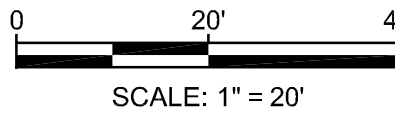
9. There is adequate waste and sewage disposal, water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.

This change does not have any negative impact to water, sewer, schools, parks or recreation.

LOT 2, MARK SIX BUSINESS SUBDIVISION

REZONING MAP

A PART OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN
COUNTY OF DOUGLAS, STATE OF COLORADO



PLANNING COMMISSION CERTIFICATION

THIS REZONING MAP WAS REVIEWED AND RECOMMENDED FOR APPROVAL BY THE TOWN OF PARKER PLANNING COMMISSION FOLLOWING A PUBLIC HEARING HELD ON _____.

COMMUNITY DEVELOPMENT DIRECTOR
ON BEHALF OF THE PLANNING COMMISSION

TOWN COUNCIL CERTIFICATION

THIS REZONING MAP WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER ON THE _____ DAY OF _____, 2018, FOR THE PROPERTY DESCRIBED HEREON. THE ZONING INFORMATION AS SHOWN HEREON WAS CONFIRMED WITH THE ADOPTION OF ORDINANCE NUMBER _____.

MAYOR: TOWN OF PARKER

ATTEST: TOWN CLERK

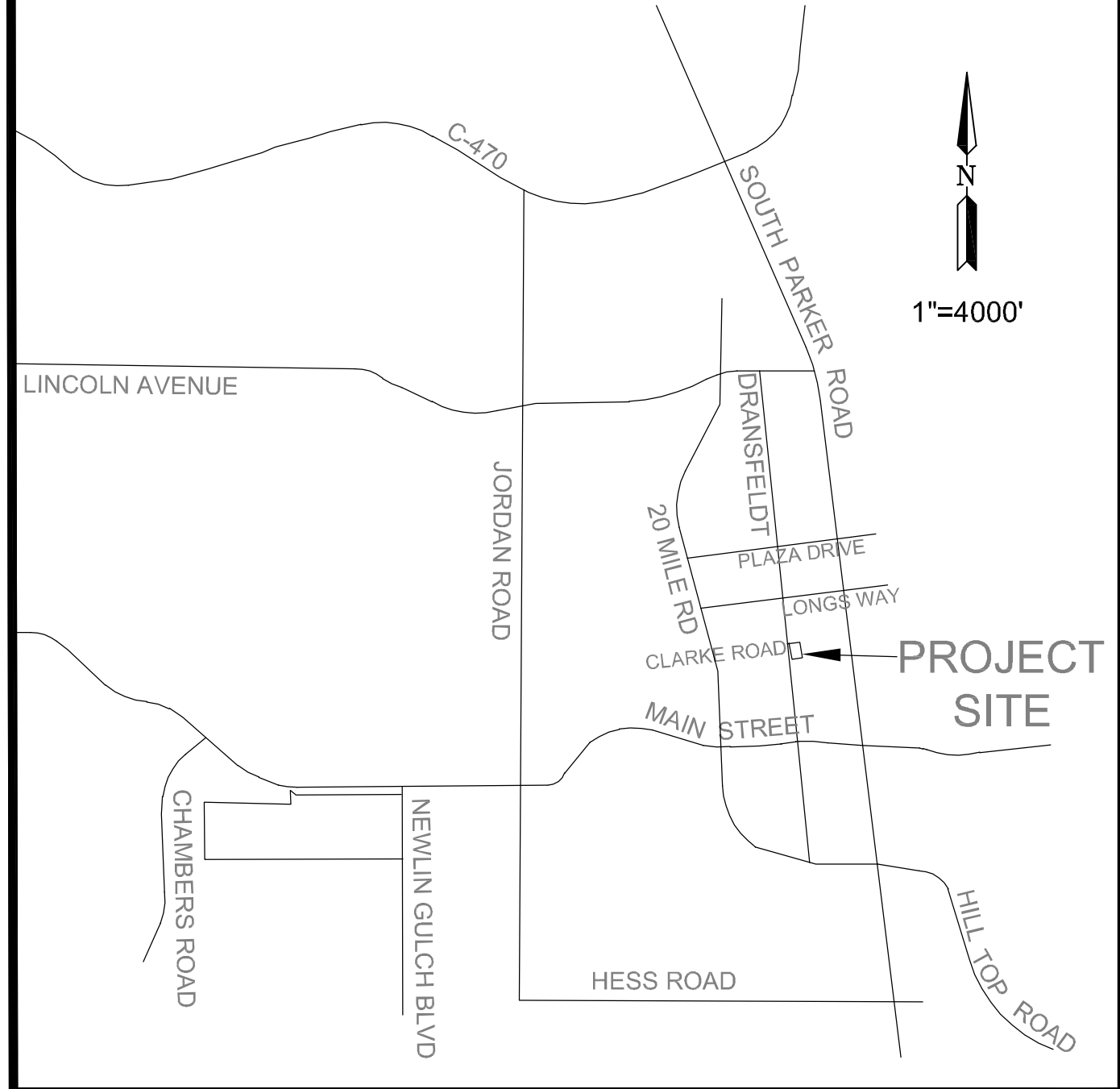
CLERK AND RECORDER'S CERTIFICATION

STATE OF COLORADO
COUNTY OF DOUGLAS

I HEREBY CERTIFY THAT THIS PLAN WAS FILED IN MY OFFICE ON THE _____ DAY OF _____
2018 A.D. AT _____ AM/PM AND WAS RECORDED AT RECEPTION NUMBER _____.

DOUGLAS COUNTY CLERK AND RECORDER

VICINITY MAP



ZONING INFORMATION:

AREA = 0.917 ACRES

EXISTING ZONING = COMMERCIAL

PROPOSED ZONING = LIGHT INDUSTRIAL

SURVEYOR CERTIFICATION:

THIS DOCUMENT IS BASED UPON A SURVEY PREPARED BY FRANE SURVEYING, INC.

ELIJAH FRANE, PLS

ATE

LEGAL:

LOT 2 MARK 6 BUSINESS SUBDIVISION,
COUNTY OF DOUGLAS, STATE OF COLORADO
RECEPTION NO. 263537

BENCHMARK:

SOUTHEAST CORNER OF PROPERTY LINE OF MARK SIX
BUSINESS SUBDIVISION - LOT 2 PC ILLEG. ELEV= 5863.47

BASIS OF BEARINGS:

BASIS OF BEARINGS IS THE SOUTH LINE, SOUTHWEST $\frac{1}{4}$ OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, WHICH BEARS N89°30'00"W PER THE FINAL PLAT FOR THE MARK SIX BUSINESS SUBDIVISION SECOND AMENDMENT.



6 Inverness Ct. E. Suite, 125
Englewood, CO 80112
303.925.0544 T
303.925.0547 F
www.2ncivil.com

MARK SIX CORPORATION
5730 FOX RUN COURT
PARKER, CO 80134

ISSUED DATE:	10-03-2018
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PROJECT NUMBER:	18019
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SHEET 1 OF 1

ORDINANCE NO. _____, Series of 2020

TITLE: A BILL FOR AN ORDINANCE REZONING CERTAIN PROPERTY WITHIN THE TOWN OF PARKER, COLORADO, KNOWN AS THE LOT 2, MARK SIX BUSINESS SUBDIVISION PROPERTY FROM C-COMMERCIAL DISTRICT TO LI - LIGHT INDUSTRIAL DISTRICT PURSUANT TO THE TOWN OF PARKER LAND DEVELOPMENT ORDINANCE AND AMENDING THE ZONING ORDINANCE AND ZONING 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 rezoning the real property described in **Exhibit A**, which is attached hereto and incorporated by this reference (the "Property"), C-Commercial District to LI-Light Industrial District, 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 of Section 13.04.240 of the Parker Land Development Ordinance for rezoning of the Property have been satisfied.

Section 2. The Property is hereby zoned as LI-Light Industrial District, pursuant to the Town of Parker Land Development Ordinance.

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 _____, 2020.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this _____ day of _____, 2020.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT A

Lot 2, Mark Six Business Subdivision
Town of Parker
County of Douglas
State of Colorado

DRAFT