



PLANNING COMMISSION MINUTES

June 25, 2020

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, and John Howe. Alternates Susan Caudill and Tracie Manske were seated. Commissioners Erik Frandsen, Eliana Burke, and Alternate Kimberly Rodell were absent.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

APPROVAL OF MINUTES

Commissioner John Howe moved to approve the June 11, 2020 meeting minutes.

Commissioner Richard Foerster seconded; a vote was taken and passed 6:0.

PUBLIC HEARING: OPENED: 7:00 P.M. OLDE TOWN - Rezone and Filing 2 – Sketch/Preliminary Plans

Applicant:	Pacific North Enterprises, LLC
Location:	Generally located on the south side of Mainstreet between Jordan Road and Motsenbocker Road
Department:	Community Development, BrieAnna Simon
TRAKiT Nos.:	Z19-014, SUB19-014/SUB19-015

BrieAnna Simon, Planner, presented the staff report for the Olde Town rezone and sketch/preliminary plans request. Ms. Simon concluded with the determinations in the staff report; requested questions be asked after the applicant's presentation; and recommended the Planning Commission recommend Town Council approve:

- an ordinance for the Olde Town at Parker Planned Development Guide- 3rd Amendment and
- approve the Olde Town at Parker Filing 2 Sketch and Preliminary Plans, with the two (2) conditions in staff's report.

APPLICANT PRESENTATION

Bill Mahar, Norris Design, presented project information:

- introduced project team:
 - **Pacific North, Bryan Byler**, Applicant / Developer
 - **Martin/Martin, Ben Baltzer**, Civil Engineer
 - **Godden Sudik, Alex Duran**, Architect
- been working the project with the Town for 2 years
- the land use aligns with Town goals
- the project involves restructuring of the Metro District
- implementation of previous developer commitments
- will provide for drainage improvements
- will improve neighborhood roadway circulation
- the community pool is near completion
- the park improvements
- landscaping improvements
- pedestrian improvements
- sidewalk connections
- school connection
- roadway improvements
- complies with Parker 2035 Master Plan
- will offer expanded housing options of townhomes/condominiums

Commissioners discussed with staff and the applicant:

- drainage improvements; *(The applicant said landscaping improvements will occur along Mainstreet and the access road on the west side of the drainage area with aesthetically designed, tiered retaining walls and a structured overflow spillway.)*
- approximate size of townhomes/condos; *(The applicant said the townhomes/condos will probably be approximately a thousand square-foot; two (2) and three (3) bedroom units.)*
- when construction is anticipated to begin; *(The applicant said they'd like to begin immediately upon Town Council approval.)*
- the density on the additional 12.2 acres; *(Staff said the proposal is for 156 dwelling units.)*
- if the pool is a Homeowners' Association (HOA) owned/maintained community pool or a Town of Parker community pool; *(The applicant said the pool is owned/maintained by the HOA.)*

Chair Gary Poole stated this is the time where citizens are encouraged to speak publicly. The use of video conference technology can be challenging when inviting public comment. Therefore, to help us proceed in an organized fashion, we request that you use the "Raise Your Hand" feature to indicate you would like to speak. We will acknowledge speakers in the order they are received. When you are acknowledged for your turn to speak, we request that you introduce yourself by stating your name and address and speak respectfully. Your comments will be limited to three (3) minutes.

PUBLIC COMMENT OPENED

Mike Heirmerle, 11364 S Trailmaster Circle, Parker, CO; Treasurer for the Metro District, spoke in support of the proposed rezoning and sketch/preliminary plans stating that the planned 156 homes are needed for the Metro District to remain solvent.

PUBLIC COMMENT CLOSED

PUBLIC HEARING: CLOSED: 7:39 P.M. OLDE TOWN - Rezone and Filing 2 – Sketch/Preliminary Plans

PLANNING COMMISSION DISCUSSION

Planning Commissioners discussed the request:

- is consistent with the Parker 2035 Master Plan
- will provide affordable housing ownership options
- good location; fits the area; is well designed
- will provide improved landscaping
- exceeds the Town's development requirements
- meets nine criteria to recommend Town Council approval
- will assist the Metro District's tough situation

Commissioner John Howe moved that the Planning Commission recommend Town Council approve an ordinance for the Olde Town at Parker Planned Development Guide – 3rd Amendment. Commissioner Tracie Manske seconded; a vote was taken and passed 6:0.

Commissioner John Howe moved that the Planning Commission recommend Town Council approve the Olde Town at Parker Filing 2 Sketch and Preliminary Plans, with the two (2) conditions in staff's report. Commissioner Richard Foerster seconded; a vote was taken and passed 6:0.

PUBLIC MEETING: OPENED: 7:44 P.M. ORDINANCE NO. 3.01.123 - A Bill for an Ordinance to Amend Title 13 of the Parker Municipal Code to Add a New Section 13.05.015, Concerning Unauthorized Camping in Floodplains

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

Jamie Wynn, Assistant Town Attorney, presented the staff report for an ordinance adding Section 13.05.015 of the Municipal Code regarding unauthorized camping in the floodplain. Ms. Wynn concluded with the determinations in staff's report and recommended the Planning Commission recommend Town Council approve the proposed ordinance.

Commissioners discussed with staff:

- why marijuana is treated as an illicit substance; (*Staff explained that the ordinance treats marijuana as an illicit substance when taken control of by the police because of a Colorado Supreme Court case dealing with the fact that marijuana is still considered illegal on the federal level. That case law prevents local law enforcement from returning marijuana to an individual without a court order.*)
- will no camping signs be posted in the floodplain and if not it is recommended that signs be posted; (*Staff said at this time signs are not planned to be posted; maps will be available around Town and on the Town website; posting signs in the floodplain can be looked at.*)
- if any surrounding jurisdictions enacted similar ordinances or if the Town of Parker is the first; (*Staff said it is believed the Town is one of the first to enact this ordinance which is based on the Mile-High Flood District model ordinances and their regulations.*)
- if there will be similar ordinances regarding floodplain camping on lands contiguous to the Town; (*Staff said surrounding jurisdictions are looking at the Town's ordinance and may enacted similar ordinances.*)
- how will the people know to obtain a court order to have confiscated medical marijuana returned and will the Town offer assistance with that process; (*Staff said a notice of removal is given to individuals camping in the floodplain areas prior to confiscating items that advises where their items will be held along with a form that discusses their ability to get their marijuana returned; it is not believed that the Town is able to provide legal assistance in this matter.*)
- concern with the wording "the notice of general clean-up posted in the general vicinity of personal property to be removed" as being effective to ensure people will get the notice to know where their personal possessions have been removed to or how to retrieve them; (*Staff said current practice is to attempt to contact individuals who have left belongings; if unable to make contact, notice is securely left for individuals to be able to receive the notice; past practice has shown individuals will come to the Town or Parker PD to locate confiscated items.*)
- who decides what are illicit versus duly prescribed opiates for confiscation; (*Staff said any confiscated opiates may be returned from Parker PD upon submittal of verifiable prescriptions.*)
- if there is a way to obtain authorization to camp in a floodplain; (*Staff said due to the danger of individuals camping in floodplain areas it would not be authorized.*)
- then the wording within the ordinance should be changed to "camping prohibited in designated floodplains" from "unauthorized camping....."; (*Staff said that is something that can be looked at prior to second reading by Town Council on July 6.*)
- how it is determined if a person's confiscated property has "apparent utility"; (*Staff explained that the list of items given in the ordinance were exemplars for deciding what items would be retained and what items would be discarded.*)
- if Parker Police has policies that provide guidance in dealing with identification of personal items; (*Staff said Parker Police may have policies in place from other ordinances addressing similar situations and that is something staff can look into for application to the proposed ordinance.*)

APPLICANT PRESENTATION

Staff presentation only.

PUBLIC MEETING: CLOSED: 7:56 PM. ORDINANCE NO. 3.01.123 - A Bill for an Ordinance to Amend Title 13 of the Parker Municipal Code to Add a New Section 13.05.015, Concerning Unauthorized Camping in Floodplains

PLANNING COMMISSION DISCUSSION

None

Commissioner John Howe moved that the Planning Commission recommend Town Council approve an ordinance to amend the Parker Municipal Code regarding unauthorized camping in the floodplain. Commissioner Richard Foerster seconded; a vote was taken and passed 5:1; with Commissioner Ruth Ann Nelson voting no due to the ordinance language.

PLANNING COMMISSION ITEMS

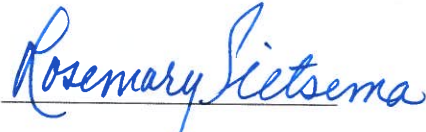
None

STAFF ITEMS

None

ADJOURNMENT

The meeting was adjourned at 7:59 p.m.



Rosemary Sietsema
Recording Secretary



Gary Poole
Chair