PLANNING COMMISSION MEETING

7:00 PM

January 14, 2021

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, virtual participation by the general public, including applicants, residents and other interested parties during regular and special Planning Commission meetings via two (2) media types:

- **VIRTUAL PUBLIC PARTICIPATION: VIA ZOOM WEBINAR**

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.

- **PUBLIC VIEWING ONLY: FACEBOOK LIVE**

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

  - **PLEASE NOTE: PUBLIC PARTICIPATION IS NOT AVAILABLE THROUGH FACEBOOK LIVE.**

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

5. APPROVAL OF MINUTES

November 12, 2020 Meeting Minutes

6. PUBLIC MEETINGS

ORDINANCE NO. 3.324.2
A Bill for an Ordinance to Amend Section 13.09.040 of the Parker Municipal Code to Add a New Paragraph 13.09.040(b)(4) Concerning the Registration of Temporary Signs Between March 20 and May 1 of Each Calendar Year
Department: Community Development, Bryce Matthews

7. PLANNING COMMISSION ITEMS

8. STAFF ITEMS

9. ADJOURNMENT

PLANNING COMMISSION MINUTES
November 12, 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 Kimberly Rodell, Richard Foerster, Ruth Ann Nelson, John Howe and Eliana Burke. Alternate Anthony Matthews was present and seated for the absent Commissioner Erik Frandsen. Alternates Susan Caudill and Tracie Manske were absent.

ADDITIONS TO OR DELETIONS FROM THE AGENDA
None

APPROVAL OF MINUTES
Commissioner John Howe moved to approve the October 29, 2020 meeting minutes. Commissioners Richard Foerster and Eliana Burke seconded; a vote was taken and passed 7:0.

Chair Gary Poole advised the public of the role of the Planning Commission and to join the Zoom webinar link if they wished to make public comments and to use the "Raise your Hand" feature; and that those watching on Facebook Live would not be able to make public comments.

PUBLIC HEARING: OPENED: 7:04 P.M. OLDE TOWN AT PARKER - Rezone

Applicant:	Bill Mahar, Norris Design
Location:	Generally located on the south side of Mainstreet between Jordan Road and Motsenbocker Road
Department:	Community Development, Stacey Nerger
TRAKiT No.:	Z20-013

Stacey Nerger, Planner, presented the staff report for the Olde Town at Parker– Rezone request. Ms. Nerger concluded with the determinations in the staff report and recommended the Planning Commission recommend Town Council approve an ordinance for the Olde Town at Parker rezone request.

The Commissioners had no questions for staff.

DRAFT

APPLICANT PRESENTATION

Bill Mahar, Norris Design, 1101 Bannock Street, Denver, CO 80204, presented:

- the project team
- proposed changes from previous proposal; removed condominium use, reduced density from 15 dwelling units per acre to 10 dwelling units per acre and reduce the allowed height
- a timeline for the development
- improvements to the neighborhood
- inclusion of expanded pedestrian connections through the neighborhood
- reduction in overall residential density
    - Previous application – 15 dwelling units per acre
    - Current application – 10 dwelling units per acre
- overall PD residential density – 4.75 dwelling units per acre for entire Neighborhood
- setbacks and height to remain the same as within the surrounding existing neighborhood
- setbacks are greater with townhomes versus single-family dwellings
- park and open space requirements

Mike Heimerle, 11364 S Trailmaster Circle, Parker, CO, HOA and Metro District Board Member spoke in support of the proposed rezone:

- the anticipated increased assessed valuation of the District resulting from inclusion of the Senderos Project property into the District is important to the District for the following reasons:
    - Allowed the District to cure its debt default
    - Produced additional District funds to help finance various District improvements, including construction of an enhanced community pool
    - Going forward, will allow the District to meet its long-term debt service obligations
    - Debt is premised on Townhome development of the Senderos Project
- PNE honored its obligations under the Public Improvement Agreement with the District:
    - Included the Senderos Project property in the District; and
    - Built the enhanced community pool and conveyed it to the District
- Senderos Creek Property included in District Boundaries
    - Allowed District cure of bond default
    - Ensured end of District bonds mill levy w/in reasonable time
    - Cured failure of prior developer to build community pool
    - Smaller pool design upgraded
    - Without PNE – no community pool for foreseeable future
- Metro District funded $2,000,000 for Roadway/Landscaping Improvements
    - Motsenbocker widening
    - Future crossings and traffic light
    - Median landscaping
- Rezoning amended to only allow for townhomes per community input

DRAFT

Commissioners discussed with the staff and the applicant:

- if all conditions for the proposal have been met; (*Staff said all conditions for the annexation have been satisfied.*)
- if Springfield Court is the only entrance to the development; (*Staff said there will be a connection from Senderos Creek to the south and possibly, two connections to the commercial area from the west.*)
- the proposed number of visitor parking spots; (*Staff said the development is considered multi-family and will need to meet standard parking requirements at the time of site plan; the applicant said at the time of site plan they will ensure parking requirements are exceeded.*)
- the median landscaping; (*The applicant said the Motsenbocker median landscaping was completed in 2019 and there are no additional landscaping plans from the developer.*)
- if the access point between the community and American Academy will be a paved trail; (*The applicant said that connection has been installed.*)
- if that connection fulfilled the Douglas County School District comments from their referral; (*Staff said no; all comments addressing Douglas County School District will be made as part of a subdivision agreement prior to approval of the final plat.*)
- the access connection to American Academy from Douglas County School District letter; (*The applicant said the letter references access off Motsenbocker which is not within the purview of this specific site but will be looked at, as a means to work out the access.*)
- price point for the townhomes; (*The applicant said they are working on completing the rezoning process and are not there yet at determining price points.*)

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

Kristin Parsons, did not provide her address for the record, spoke with the following concerns:

- why the original proposed condominiums were not approved; the decreased density is a result of not building condominiums; (*Staff said condominium density did not fit the existing residential area and townhomes were a better fit for the existing single-family development.*)
- why it took so long to complete the community pool; (*Staff and the applicant said the delay in completing the community pool was due to the economic downturn and change in ownership.*)
- $2M requirement of the Town of Parker for beautification; (*Staff said the $2M was not just for beautification; it included expansion of Motsenbocker Road.*)

DRAFT

PUBLIC COMMENT CLOSED

PUBLIC HEARING: CLOSED: 7:46 P.M. OLDE TOWN AT PARKER - Rezone

PLANNING COMMISSION DISCUSSION

Planning Commissioners agreed the request:

- will provide expanded affordable housing opportunities
- meets the nine criteria for approval
- is a good fit for the existing community
- shows how well the developer worked with the existing community to ensure their support
- is an example of how the 2035 Master Plan works for the developer and staff to ensure well developed communities

Commissioner Anthony Matthews moved to recommend Town Council approve an ordinance for the Olde Town at Parker Planned Development Guide - 3rd Third Amendment. Commissioner Eliana Burke seconded; a vote was taken and passed 7:0.

PUBLIC HEARING: OPENED: 7:50 P.M. CHASE BANK

Applicant: Brian Reno, Stantec
Location: Generally located at the southwest corner of Parker Road and Mainstreet
Department: Community Development, Stacey Nerger
TRAKiT No.: Z19-001 and SUB19-004

1. USE BY SPECIAL REVIEW

2. MINOR DEVELOPMENT PLAT

Stacey Nerger, Planner, presented the staff report for the Chase Bank - Use by Special Review and Minor Development Plat requests. Ms. Nerger concluded with the determinations in the staff report and recommended the Planning Commission recommend Town Council approve the Use by Special Review and Minor Development Plat requests.

Commissioners discussed with staff:

- if there will be a requirement to grade the development to street level; (*Staff said yes; with the proposed development the property will almost be flush with Mainstreet and there may be a slight grade adjacent to Parker Road.*)
- what the plans are for the existing Chase Bank to the south; (*Staff deferred a response to the applicant; the applicant said the older branch will remain.*)

DRAFT

APPLICANT PRESENTATION

Carolynne White, Brownstein Hyatt Farber Schreck, 410 Seventeenth Street, Suite 2200, Denver, CO 80202 and Brian Reno, Stantec, presented:

- the project team
- the existing site plan
- proposed development plans
- exterior elevations
- proposed landscape plans and features/amenities
- the request meets the criteria for approval of a use by special review
- the requests are consistent with the Parker 2035 Master Plan
- the minor development plat is consistent with the Land Development Ordinance

Commissioners discussed with the staff and the applicant:

- anticipated project completion date; (*The applicant said they anticipate a completion date of September or October of 2021.*)

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PUBLIC COMMENT OPENED

Kristin Parsons, the Pinery spoke with the following concerns:

- gas tank remediation
- with a bank being the highest and best use for the property
- with a preference for other options for development

PUBLIC COMMENT CLOSED

Commissioners discussed with the applicant and staff:

- if there have been other interests in purchasing the property; (*Adam Smith, Vice President Leon Capital, 3500 Maple Avenue, Suite 1600, Dallas, Texas, said there haven't been any others interested in purchasing this property since this project has been in the works for the last two years, as this is a difficult site to develop; and addressed the remediation process and monitoring to meet state requirements.*)
- confirmation that the traffic flow plan for the ATM will be reviewed for approval by Town of Parker Public Works Engineering; (*Staff confirmed that is correct.*)

PUBLIC HEARING: CLOSED: 8:31 P.M. CHASE BANK

1. Use by Special Review
2. Minor Development Plat

DRAFT

PLANNING COMMISSION DISCUSSION

Planning Commissioners agreed the request:

- provided a thorough presentation by staff and the applicant
- provided answers that were accurate
- provided welcome building, landscape, amenities with handicap accessibility and turn-lane improvements
- meets the criteria for the use by special review
- is not within the purview of the Planning Commission to determine uses for properties
- is well thought out by the applicant for a business that should be successful at that location
- will be a credit to the location that isn't suitable for other businesses
- fits the area

The Commissioners thanked the applicant for the thoughtful and thorough presentation.

Commissioner John Howe moved the Planning Commission recommend Town Council approve the Chase Bank Use by Special Review to allow for a drive-through subject to the three (3) conditions contained in staff's report. Commissioner Richard Foerster seconded; a vote was taken and passed 7:0.

Commissioner John Howe moved the Planning Commission recommend Town Council approve the Chase Bank Minor Development Plat. Commissioner Eliana Burke seconded; a vote was taken and passed 7:0.

PUBLIC HEARING: OPENED: 8:39 P.M. HESS RANCH PLANNED DEVELOPMENT - Rezone

Applicant:	Matt Osborn, Front Range Communities
Location:	Generally located at the south and west intersection of Stroh Road and Crowfoot Valley Road
Department:	Community Development, BrieAnna Simon
TRAKiT No.:	Z20-005

BrieAnna Simon, Planner, presented the staff report for the Hess Ranch – Planned Development - Rezone request. Ms. Simon concluded with the determinations in the staff report and recommended the Planning Commission recommend Town Council approve an ordinance for the Hess Ranch Planned Development rezone request.

Commissioners had no questions for staff.

DRAFT

APPLICANT PRESENTATION

Matt Osborn, Front Range Communities, 4100 E Mississippi Avenue, Suite 500, Denver, CO, 80246 presented:

- the project team
- context for the site location segments
- dendritic drainage corridors and design
- 678 Single Family Residential Lots
- 136.25 Acres Open Space
- 17.04 Acres Pocket Parks
- bridge construction
- home construction to begin late spring of 2021
- Stroh Road realignment
- parks, open space and amenity package
- partial waiver resolution for commercial use dedications
- trail connectivity plan
- park accessibility service plans
- thanks to staff and Planning Commission for moving forward with the project

Commissioners discussed with the staff:

- if the Douglas County School District comments have been addressed; (*Staff said the Douglas County School District comments have been addressed.*)
- if the Public Works Engineering comments regarding a concurrent planned development have been addressed; (*Staff said the Anthology North Planned Development amendment approved at the last Planning Commission meeting addressed those comments.*)
- if Douglas County comments regarding previous Trail Plans have been addressed; (*Staff said the referenced comments are based on an Intergovernmental Agreement the Town had with Douglas County that is no longer in effect; however, staff believes it satisfies the criteria.*)
- if Douglas County School District's need for two roads to access the schools has been addressed; (*Staff said provision of roads will be determined at the time of sketch/preliminary plans submittals.*)

PUBLIC HEARING: CLOSED: 9:09 P.M. HESS RANCH PLANNED DEVELOPMENT - Rezone

PUBLIC HEARING: RE OPENED: 9:10 P.M

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.

DRAFT

PUBLIC COMMENT OPENED
None

PUBLIC COMMENT CLOSED

PUBLIC HEARING: CLOSED: 9:10 P.M. HESS RANCH PLANNED DEVELOPMENT - Rezone

PLANNING COMMISSION DISCUSSION

Planning Commissioners agreed the request:

- was thoroughly presented by both staff and the applicant
- will embrace the dendritic design and provide a first-class neighborhood with better open space and parks amenities
- is fluid in being able to change the original plans for the benefit of enhancing the town and its communities
- showed involvement and support of planning, engineering, parks and recreation in collaboration with the developer for the proposed, exciting development

The Commissioners thanked staff and the applicant for the thoughtful and thorough presentation.

Commissioner John Howe moved to recommend Town Council approve the requested Hess Ranch Planned Development rezone. Commissioner Rich Foerster seconded; a vote was taken and passed 7:0.

PLANNING COMMISSION ITEMS
None

STAFF ITEMS
Staff presented the proposed 2021 Planning Commission meeting schedule and advised the Planning Commission will need to consider having the November meeting either on November 4 or November 18, as November 11, 2021 is Veteran's Day and the Town offices are closed in observance of that day.

Planning Commissioners deliberated; Commissioner Anthony Matthews moved the Planning Commission approve the 2021 Planning Commission meeting schedule and have a November 4, 2021 meeting in-lieu of the November 11, 2021 date.

Commissioner Ruth Ann Nelson seconded; a vote was taken and passed 7:0.

Reminder: December 10, 2020 at 5:30 p.m., Planning Commissioner training, on:
Environmental Standards and the Built Environment.

The regular meeting will be Cancelled.

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ADJOURNMENT
The meeting was adjourned at 9:16 p.m.

_____	_____
Rosemary Sietsema	Gary Poole
Recording Secretary	Chair

DRAFT

Planning Commission Staff Report

Planning Commission Date:	**1/14/2021**
Town Council Date:	**1/19/2021**
Hearing Type:	**Public Meeting** **ORDINANCE NO. 3.324.2 - A Bill for an Ordinance to Amend Section 13.09.040 of the Parker Municipal Code to Add a New Paragraph 13.09.040(b)(4) Concerning the Registration of Temporary Signs Between March 20 and May 1 of Each Calendar Year**
Location:	**Townwide**
Project Planner:	**Bryce Matthews, Planning Manager**
Applicant:	**Town of Parker**
Executive Summary:	The proposed Ordinance will suspend the registration requirement for temporary signs for 30 days prior to the special election scheduled on April 20, 2021, and 15 days after the special election.
Staff Recommendation:	**Approval**

RECOMMENDED MOTION

"I move the Planning Commission recommend Town Council approve an ordinance to amend the Parker Municipal Code regarding suspending registration of temporary signs between March 20 and May 1."

ALTERNATIVE MOTIONS

"I move the Planning Commission recommend Town Council approve an ordinance to amend the Parker Municipal Code regarding suspending registration of temporary signs between March 20 and May 1 with the following conditions:"
-List proposed conditions

"I move the Planning Commission recommend Town Council deny an ordinance to amend the Parker Municipal Code regarding suspending registration of temporary signs between March 20 and May 1:"
-List criteria not met (either by staff or Planning Commission)

"I move the Planning Commission vote to continue an ordinance to amend the Parker Municipal Code regarding suspending registration of temporary signs between March 20 and May 1."

I. BACKGROUND/DISCUSSION

Under the Parker Municipal Code, election signs are treated as temporary signs. All temporary signs are required to be registered with the Planning Department prior to being displayed on a property. The Parker Municipal Code currently suspends the registration requirement for temporary signs between October 1 and November 15 of each calendar year, which allows candidates for elections to post election signs without registering the signs. The proposed Ordinance will also suspend the registration requirement for temporary signs between March 20 and May 1, to accommodate the special election scheduled on April 20, 2021. The Ordinance if approved will sunset on June 1, 2021, and will not be in effect in future years.

II. PARKER 2035 MASTER PLAN

Parker 2035 Master Plan | Town of Parker - Official Website

MASTER PLAN CONSISTENCY	
Master Plan Designation	Choose an item. ☐ **Consistent** ☐ **Inconsistent** ☒ **Not Applicable**
Master Plan Character Discussion	**N/A**
Consistent Goals/Strategies	**N/A**
Inconsistent Goals/Strategies	**None**
Staff Analysis	Amending the code to allow for temporary signs to not be registered 30 days in advance of the April 20, 2021 special election and 15 days after the special election is not addressed in the Parker 2035 Master Plan.

III. CONCLUSION

Staff recommends that the Planning Commission recommend that Town Council approve an ordinance that will suspend the registration requirement for temporary signs between March 20 and May 1 with a sunset on June 1, 2021. The sunset provision makes the code amendment expire and therefore not be in effect in future years. The code amendment is to accommodate temporary signs for the special election scheduled on April 20, 2021.

IV. RECOMMENDED CONDITIONS

None

V. ATTACHMENTS

Ordinance No. 3.324.2

Report Approved By: Bryce Matthews, Planning Manager

ORDINANCE NO. 3.324.2, Series of 2021

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTION 13.09.040 OF THE PARKER MUNICIPAL CODE TO ADD A NEW PARAGRAPH 13.09.040(b)(4) CONCERNING THE REGISTRATION OF TEMPORARY SIGNS BETWEEN MARCH 20 AND MAY 1 OF EACH CALENDAR YEAR

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

Section 1. The Parker Municipal Code is amended by the addition of a new Paragraph 13.09.040(b)(4) which is to read as follows:

13.09.040 Administrative procedures.

* * *

(b) Temporary signs. The Town will permit temporary signs on residential and nonresidential parcels in accordance with the following standards and procedures:

* * *

(4) Registry not required. Notwithstanding Paragraph (1) above, registration of temporary signs will not be required between March 20 and May 1 of each calendar year. During such period, temporary signs will be required to conform in all other respects to the provisions of this Chapter.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

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

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

Section 5. This Ordinance shall sunset on June 1, 2021, and be of no further force or effect after this date.

INTRODUCED AND PASSED ON FIRST READING this _____ day of _____, 2021.

_____
Jeff Toborg, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this _____ day of _____, 2021.

_____
Jeff Toborg, Mayor

ATTEST:

_____
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

_____
James S. Maloney, Town Attorney