



PLANNING COMMISSION MINUTES

December 9, 2021

Planning Commission Chairman Gary Poole called the meeting to order at 7:03 p.m.

The Planning Commission and audience joined in saying the Pledge of Allegiance.

Also, present and seated were Commissioners Abbas Udawala, Ruth Ann Nelson, Roxy Colette, Nicholas Metz and Kim Rodell.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

OPENING REMARKS

Planning Commission Chairman Gary Poole: Thank you for attending the Parker Planning Commission meeting tonight. Before the meeting begins, there are two ways to make public comments on any item at this hearing. Comments may be made in person at the public hearing tonight or you can join the Zoom webinar link posted on the Town's website at www.ParkerOnline.org/PlanningCommission.

Facebook Live participants are only able to view and listen to the meeting and are unable to submit public comment on agenda items. If you are on Facebook Live and wish to submit public comment on an item tonight, now would be a good time to leave Facebook Live and join the Planning Commission meeting on Zoom.

For Zoom participants that wish to comment on any agenda item, use the Zoom "Raise Your Hand" feature when I open the hearing up for public comment.

We appreciate your attendance and participation at the Planning Commission.

APPROVAL OF MINUTES

Commissioner Ruth Ann Nelson moved to approve the November 4, 2021 meeting minutes. Commissioner Roxy Colette seconded; a vote was taken and passed unanimously.

PUBLIC HEARING OPENED: 7:05 P.M. – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 13.02.010 OF THE PARKER MUNICIPAL CODE CONCERNING THE DEFINITION OF DWELLING AND DWELLING UNIT AND SECTION 13.04.180 REGARDING HOME OCCUPATIONS

The purpose of the proposed ordinance is to amend the definition of dwelling and dwelling unit and make amendments to home occupation regulations to clarify that clinics, nursing and convalescent homes, barber shops, beauty shops, tourist homes animal hospitals and restaurants are prohibited uses in dwellings and dwelling units.

Department: Community Development, Bryce Matthews

Bryce Matthews, Planning Manager, presented the staff report for A Bill for an Ordinance to Amend Chapter 13.02.010 of the Parker Municipal Code Concerning the Definition of Dwelling and Dwelling Unit and Section 13.04.180 Regarding Home Occupations. Mr. Matthews concluded with the determinations in the staff report that the Planning Commission recommend Town Council approve an ordinance to amend Section 13.02.010 regarding definitions of dwelling and dwelling units and 13.04.180 regarding home occupations in the Parker Land Development Ordinance.

Commissioners discussed with staff:

- Commissioner Roxy Colette stated that during the pandemic and the COVID shutdown of small businesses, barbershops and beauty salons were shutdown. He noted the language in the proposed ordinance says that these types of businesses are going to be prohibited under the new definition of dwelling and that he did not agree. He also noted he was unsure that this is within the purview of the planning commission to make that sort of prohibition?; *(staff said that the language Commissioner Colette referenced was not part of the proposed change. The changes proposed are the bold, underlined words. The language in the code about mobile homes, hotels, motels, tents, seasonal, and the rest of the content that is not bold and underlined is the current code. The bold, underlined sections are the only changes to this code. The best time and location for conversations regarding policies will be during the LDO update study session with Planning Commission on January 27th concerning proposed changes to the code in general).*
- Commissioner Ruth Ann Nelson stated that just adding the idea that parking should not alter the residential character of an area would be enough to prohibit the additional things that are being prohibited and this is a conversation of policy for the LDO. But in voting for these changes, she would be voting for the policy that's underlying it, so I will be opposing this tonight.
- Commissioner Ruth Ann Nelson stated she understood the change of the “or” to “and” because of case-law. But who intends? It wasn't, that it's “or intended”, “and intended”. Is it the owner, is it the lessee, is it the Town? Who's intent are we looking at in this code?; *(staff said the “or” and the “and”, describes what is necessary for a dwelling unit to be a dwelling unit. A dwelling unit is designed, occupied and intended for occupancy as a sleeping quarters, has cooking...).*
 - Commissioner Ruth Ann Nelson stated that she understands that part. She stated that she is just raising it as an issue that the intent that's talked about here is not clear. Is it the owner intent, a lessee intent, a Town intent, original building code intent?; *(staff noted that the dwelling unit definition the code, is intended to*

create structure for staff to define what a dwelling unit is which is a unit designed for occupation, having separate living quarters (not a bed in a board house), has to have cooking, sleeping and a toilet. That's the purpose of the definition is to make sure that the development community, the public and the Town are on the same page as to what a dwelling unit is).

PUBLIC COMMENT OPENED

None

PUBLIC HEARING CLOSED: 7:14 P.M. - A BILL FOR AN ORDINANCE TO AMEND CHAPTER 13.02.010 OF THE PARKER MUNICIPAL CODE CONCERNING THE DEFINITION OF DWELLING AND DWELLING UNIT AND SECTION 13.04.180 REGARDING HOME OCCUPATIONS

PLANNING COMMISSION DISCUSSION

- Commissioners discussed their dislike of the policy in the underlying document, they did not like the way this ordinance is written in the code today, and that additional clarity is needed.
- Commissioners discussed that the upcoming LDO Study Session on January 27, 2022 may be the appropriate venue to discuss this issue further.
- Commissioners discussed with staff options for motions and voting on this issue.

Commissioner Roxy Colette moved the Planning Commission recommend Town Council approve an ordinance to amend Section 13.02.010 regarding definitions of dwelling and dwelling units and 13.04.180 regarding home occupations in the Parker Land Development Ordinance. Kim Rodell seconded the motion. The motion failed 5:1.

Commissioner Ruth Ann Nelson moved the Planning Commission recommend Town Council deny an ordinance to amend Section 13.02.010 regarding definitions of dwelling and dwelling units and 13.04.180 regarding home occupations in the Parker Land Development Ordinance. Roxy Colette seconded the motion. The motion passed 5:1.

PUBLIC HEARING OPENED: 7:25 P.M. – TWENTY MILE INDUSTRIAL PARK F2 A1 L2A PARKER RACQUET CLUB SITE PLAN AMENDMENT

The applicant, Parker Racquet Club, is proposing a Site Plan Amendment to add exterior sport courts to the existing Parker Racquet Club. The site is located on the southeast corner of Twenty Mile Road and Plaza Drive.

Department: Community Development, Julia Duncan

Julia Duncan, Associate Planner, presented the staff report for Twenty Mile Industrial Park F2 A1 L2A Parker Racquet Club Site Plan Amendment. Ms. Duncan concluded with the determinations in the staff report that the Planning Commission recommend Town Council approve Twenty Mile

Industrial Park F2 A1 L2A Parker Racquet Club Site Plan Amendment to allow additional exterior court expansion, subject to the five (5) conditions contained in staff's report.

Commissioners discussed with staff:

- Will the paddleball courts be protected from vehicles potentially entering the courts; *(staff said there will be a curb at the end of the parking aisle. And then there is a two-and-a-half-foot concrete pathway that's adjacent to that court).*
- How did the public art on the northwest corner get incorporated into this project? Is this part of the LDO?; *(staff said that inclusion of public art was an original condition of approval of the 2018 site plan. The applicant was to work with the cultural affairs department which has not occurred yet. It is being reconditioned for approval now to ensure that the original condition from the 2018 site plan is met).*

APPLICANT PRESENTATION

- The applicant, Barry Riddle, provided:
 - Clarification on the proper pronunciation of paddle ball
 - Information on the density of the ball that is used
 - Insight into the different types of paddle ball and the nuances of the game
- The applicant stated that Parker will be the first Town in the inter-mountain area to have these types of courts.
- The applicant stated that they will have the first hitting wall in Parker.

PUBLIC COMMENT OPENED

None

PUBLIC HEARING CLOSED: 7:35 P.M. - TWENTY MILE INDUSTRIAL PARK F2 A1 L2A PARKER RACQUET CLUB SITE PLAN AMENDMENT

PLANNING COMMISSION DISCUSSION

- Commissioners stated they are enthusiastic about the arrival of paddle ball coming to Parker.
- Commissioners stated that this an example of a good public-private partnership.

Commissioner Kim Rodell moved the Planning Commission recommend Town Council approve the Twenty Mile Industrial Park F2 A1 L2A Parker Racquet Club Site Plan Amendment to allow additional exterior court expansion, subject to the five (5) conditions contained in staff's report. Commissioner Ruth Ann Nelson seconded; a vote was taken and was passed unanimously.

PLANNING COMMISSION ITEMS

None

STAFF ITEMS

Staff reminded the Commissioners that there will be training prior to the next Planning Commission meeting on January 13, 2022 at 5:30 PM and prior to the January 27, 2022 Planning Commission Meeting there will be a study session to discuss the LDO Modernization – Module Two at 5:30 PM. Staff wished the Commissioners, Happy Holidays.

ADJOURNMENT

Commissioner Ruth Ann Nelson moved that the meeting be adjourned. Commissioner Nick Metz seconded the motion and was passed unanimously. The meeting was adjourned.

A handwritten signature in blue ink, appearing to read "Jeff Miller", written over a horizontal line.

Jeff Miller
Recording Secretary

A handwritten signature in blue ink, appearing to read "Gary Poole", written over a horizontal line.

Gary Poole
Chair