



## **PLANNING COMMISSION MINUTES**

**January 26, 2023**

Planning Commission Chairman 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 and seated were Commissioners Rich Foerster, Jane Lane, Eliana Burke and Kim Rodell.

### **ADDITIONS TO OR DELETIONS FROM THE AGENDA**

None

### **APPROVAL OF MINUTES**

None

### **PUBLIC HEARING OPENED: 7:02 P.M. – MERIDIAN TRACT Q OPEN SPACE ZONING.**

Applicant: Town of Parker  
Location: Southeast corner of Mainstreet and Chambers Road  
Department: Community Development, Bryce Matthews  
TRAKiT No.: Z22-022

### **STAFF PRESENTATION**

Bryce Matthews, Assistant Director - Planning, presented the staff report to zone a 20.25 acre parcel, known as Meridian Tract Q to OS - Open Space in coordination with annexing the property into the Town. Mr. Matthews concluded with the determinations in the staff report that the Planning Commission recommend Town Council approve the zoning request.

Commissioner discussion with staff:

None.

### **PUBLIC COMMENT**

None.

### **PUBLIC HEARING CLOSED: 7:05 P.M. – MERIDIAN TRACT Q OPEN SPACE ZONING.**

## **PLANNING COMMISSION DISCUSSION**

- Commissioner Eliana Burke appreciates Town staff following up and completing this project that was spoken about in the past and is in favor.
- Commissioner Richard Foerster is in favor of the zoning.
- Commissioner Jane Lane commented that it's really not a zoning change, that the parcel is just being incorporated into the Town.
- Commissioner Kim Rodell commented that the zoning is pretty straightforward.
- Commissioner Gary Poole concurs with his fellow commissioners.

Commissioner Richard Foerster moved the Planning Commission recommend Town Council approve the zoning. Commissioner Kim Rodell seconded; a vote was taken and was unanimously.

## **PUBLIC HEARING OPENED: 7:07 P.M. – WESTCREEK DEVELOPMENT PLANNED DEVELOPMENT 2ND AMD.**

Applicant: Masterworks, LLC  
Location: Southwest corner of Parker Road and E-470  
Department: Community Development, Julia Duncan  
TRAKiT No.: Z22-015

## **STAFF PRESENTATION**

Julia Duncan, Associate Planner, presented the staff report proposing a rezoning to amend the Westcreek PD to allow drive through uses and clean-up language and criteria. Ms. Duncan concluded with the determinations in the staff report that the Planning Commission recommend Town Council approve the zoning.

Commissioners discussed with staff:

- Commissioner Kim Rodell asked if staff received any comments; *(staff said letters of support were received from business owners within the PD including Springhill Suites, the Dental Clinic and Big Five Sports).*
- Commissioner Kim Rodell asked if these proposed changes will affect existing business within the PD; *(staff said no).*

## **APPLICANT PRESENTATION**

Jodi Newton with Masterworks LLC gave the applicant's presentation.

- The applicant told the commissioners that owner of the Nexgen Westcreek properties was in attendance as well.
- The applicant provided background and history of the project.
- The applicant discussed how the PD cleanup efforts and the addition of the drive thru options will help attract retailers and develop the remaining vacant lots.

Commissioners discussed with the applicant:

- Commissioner Jane Lane said that if this location is the gateway to Parker as stated in the staff report, it doesn't seem to be the best location for a drive thru; *(applicant said they have been marketing this property for years and the retail pieces are usually the last to go, discussed current access limitations to the properties, mentioned that a drive thru addition will increase desirability for future development in the PD and that existing businesses are supportive of the change).*
- Commissioner Jane Lane asked for an executive summary of how the drive thru generates the traffic needed to sell the rest of the parcels in the PD; *(applicant said that the presence of a national retailer such as an In-N-Out Burger would attract other compatible businesses which will contribute to the development's overall success).*
- Commissioner Jane Lane asked why a nationally recognized tenant is needed to complete the build out of the rest of this area; *(applicant said that it would definitely be helpful).*

#### **PUBLIC COMMENT OPENED**

None.

#### **PUBLIC HEARING CLOSED: 7:25 P.M. – WESTCREEK DEVELOPMENT PLANNED DEVELOPMENT 2ND AMD.**

#### **PLANNING COMMISSION DISCUSSION**

- Commissioner Eliana Burke appreciates that the PD is being updated, is happy that this area is finally moving in the right direction and is in favor.
- Commissioner Jane Lane appreciates the work that Town staff and the property owner have done to make sure that this works for Parker and the property owner, appreciates the PD cleanup work, but doesn't agree with the addition of the drive through component and is not in favor.
- Commissioner Kim Rodell appreciates the work that has gone into this project, that this parcel is finally going to be developed, that it will serve the hotel guests and local residents in the area and is in favor.
- Commissioner Richard Foerster appreciates the Town's revisions to encourage development on these remaining parcels, that future development will complement what is already there and is in favor.
- Commissioner Gary Poole stated that it will be nice see these parcels developed and is in favor.

Commissioner Eliana Burke moved the Planning Commission recommend Town Council approve the Westcreek Development Planned Development 2<sup>nd</sup> AMD. Commissioner Richard Foerster seconded; a vote was taken and was passed 4-1, with Commissioner Jane Lane opposing.

**PUBLIC HEARING OPENED: 7:28 P.M. – PARKER AND PINE MIXED USE DEVELOPMENT PLANNED DEVELOPMENT GUIDE 1<sup>ST</sup> AMD.**

Applicant: Galloway Engineering  
Location: Southwest corner of Parker Road and Pine Lane  
Department: Community Development, Julia Duncan  
TRAKiT No.: Z21-012

**STAFF PRESENTATION**

Julia Duncan, Associate Planner, presented the staff report proposing an amendment to the Parker and Pine PD to reduce the required retail and relocate an allowed drive through use to the southwest corner of Parker Road and Pine Lane. Ms. Duncan concluded with the determinations in the staff report that the Planning Commission recommend Town Council approve the zoning.

Commissioners discussed with staff:

- Commissioner Kim Rodell asked about the additional design criteria in the PD; *(staff said this is a recent PD adopted in 2020, and has more specific material requirements and this update is adding two additional colors, sand castle and bone china, and stucco).*
- Commissioner Richard Foerster asked for clarification on building sizes for lots one and five; *(staff said the square footage requirement only applies to lot five).*
- Commissioner Richard Foerster asked in light of the building size requirements and the 300 foot radius from the intersection restriction, how is parking affected for each lot; *(staff said parking requirements are based on the ultimate use that is developed on each lot).*
- Commissioner Kim Rodell asked if this is passed, will this level the playing with surrounding lots and be more consistent as to what can be developed; *(staff said yes, several of these lots are being developed now and that the current minimum square footage requirements coupled with landscaping requirements wouldn't have allowed for the building as proposed).*
- Commissioner Richard Foerster asked what would happen if the drive thru exceed the 24 car limit for queuing and how would that be handled; would the cars be allowed to queue up in the PD's internal streets or be allowed to queue up on Pine Dr.; *(staff said that In-N-Out Burger would be required to submit a traffic impact analysis as part of their site plan which would be reviewed by Parker's engineering department; the Town does not allow for car queuing outside of their lot ).*
- Commissioner Kim Rodell anticipates that initially there will be car queuing that overflows beyond In-N-Out Burger's lot and asked how will this be handled; *(staff said Parker's Code Enforcement would handle the situation if the need arose, and also that ingress and egress would be through Pine Dr. or internal circulation within the PD and*

*not off Parker Rd. which is a CDOT roadway, that In-N-Out Burger management would be required to handle the overflow queuing and that the Town has previous experience with similar queuing overflow issues when Dutch Brother's Coffee opened; In-N-Out Burger representative added that they have experience from previous store openings, that the initial demand at each new location has slowed down as new stores are opened and In-N-Out Burger will use staff and hire private traffic officers to handle overflow queuing issues).*

- Commissioner Jane Lane asked what the initial intent was of the 300 foot radius from the intersection; *(staff said the square footage requirement was for the lot to the east and the proposal is to move the square footage requirement to the lot to the west and remove the 300 foot radius from the Parker Rd. intersection. Preservation of a requirement for multitenant development may attract higher end retail.).*

#### **APPLICANT PRESENTATION**

Katie Sanchez With In-N-Out Burger gave a short presentation thanking the commissioners for hearing their proposal, expressed enthusiasm for the project, touched on the changes to the PD that will enhance their project and thanked staff for the collaborative work on the project.

#### **PUBLIC COMMENT OPENED**

None.

#### **PUBLIC HEARING CLOSED: 7:44 P.M. – PARKER AND PINE MIXED USE DEVELOPMENT PLANNED DEVELOPMENT GUIDE 1ST AMD.**

#### **PLANNING COMMISSION DISCUSSION**

- Commissioner Kim Rodell said that this an appropriate location for the use off of E470, will encourage visitors to spend the night in Parker and increase Parker's revenue.
- Commissioner Eliana Burke agrees with her fellow commissioners, understands the need for growth and is in favor.
- Commissioner Richard Foerster agrees with fellow commissioner Kim Rodell that all the criteria have been met and is confident that should a traffic issue arise, the Town will address it.
- Commissioner Jane Lane said that her comments are similar to her comments from the previous hearing.
- Commissioner Gary Poole appreciates that this project is moving forward in cooperation with the Town and the property owners.

Commissioner Richard Foerster moved the Planning Commission recommend Town Council approve the Parker and Pine Mixed Use Development Planned Development Guide 1st AMD. Commissioner Eliana Burke seconded; a vote was taken and was passed 4-1, with Commissioner Jane Lane opposing.

**PLANNING COMMISSION ITEMS**

None.

**STAFF ITEMS**

None.

**ADJOURNMENT**

Commissioner Eliana Burke moved that the meeting be adjourned. Commissioner Richard Foerster seconded the motion, and the motion 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