



PLANNING COMMISSION MEETING

7:00 PM

February 23, 2023

Planning Commission meeting packets are prepared several days prior to the meeting. This information is reviewed and studied by the Commissioners eliminating lengthy discussions to gain a basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the part of the Planning Commission.

Public comment on agenda items may only be made in person.

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PLEASE NOTE: Public participation is NOT available through YouTube.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADDITIONS TO OR DELETIONS FROM THE AGENDA
5. APPROVAL OF MINUTES
 - A. Planning Commission Meeting Minutes - 1.12.23
 - B. Planning Commission Meeting Minutes - 1.26.23
6. PUBLIC HEARINGS
 - A. O'Brien Park Lot 1 - Site Plan

Applicant:	Town of Parker
Location:	Northeast corner of Parker Road and Mainstreet
Department:	Community Development, Amber Wood Hicken
TRAKiT No.:	SP22-104

B. Ray J. Harvie Lot 1 Open Space - Site Plan

Applicant: Town of Parker

Location: North of Mainstreet and Canterbury Parkway

Department: Community Development, Ashley Chasez

TRAKiT No.: SP22-099

7. PLANNING COMMISSION ITEMS

8. STAFF ITEMS

9. ADJOURNMENT



PLANNING COMMISSION MINUTES

February 23, 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 Jane Lane, Roxy Colette, Ruth Ann Nelson, Erik Frandsen, Eliana Burke and Kim Rodell.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

APPROVAL OF MINUTES

Commissioner Erik Frandsen moved to approve the January 12, 2023, meeting minutes. Commissioner Eliana Burke seconded; a vote was taken and passed unanimously.

Commissioner Roxy Colette moved to approve the January 26, 2023, meeting minutes. Commissioner Ruth Ann Nelson seconded; a vote was taken and passed unanimously.

PUBLIC HEARING OPENED: 7:02 P.M. – O'BRIEN PARK LOT 1 – SITE PLAN

Applicant: Town of Parker
Location: Northeast corner of Parker Road and Mainstreet
Department: Community Development, Amber Wood Hicken
TRAKiT No.: SP22-104

STAFF PRESENTATION

Amber Wood Hicken, Planner 1, presented the staff report proposing a Site Plan Amendment to change the landscaping on the west, south and east perimeter of O'Brien Park. Ms. Wood concluded with the determinations in the staff report that the Planning Commission recommend Town Council approve the site plan.

Commissioner discussion with staff and applicant:

- Commissioner Ruth Ann Nelson asked if the park is increasing in size or is the landscaping changing; *(staff said just the landscaping is changing)*.

- Commissioner Kim Rodell asked if there will be a second level of backing for the seating along Mainstreet or will the bench back up to Mainstreet; *(applicant, Brett Collins, Parker Park Project Manager said there will be a wall, then a planter with shrubs, then the Corten steel panel to prevent people from walking through, to eliminate the existing fence and improve attractiveness).*
- Commissioner Kim Rodell asked if the wall, planter boxes and Corten steel panel will prevent kids from jumping over and falling into Mainstreet; *(applicant said yes and the intent of the project is to better prevent access from the park to Mainstreet and to make it look better).*
- Commissioner Ruth Ann Nelson asked for confirmation that the playground is fenced to prevent children running out, jumping the berm and into Parker Road; *(applicant said yes, the playground is fenced off and was installed along with the new playground equipment).*
- Commissioner Jane Lane asked if the referral comments have been addressed; *(applicant said yes).*

PUBLIC COMMENT

None.

PUBLIC HEARING CLOSED: 7:08 P.M. – O'BRIEN PARK LOT 1 – SITE PLAN.

PLANNING COMMISSION DISCUSSION

- Commissioner Kim Rodell appreciates the park enhancements, improvements and measures taken to keep people from going out onto Mainstreet.
- Commissioner Eliana Burke is glad to see these improvements finally being made to the park and congratulated the Town for moving forward with the project.
- Commissioner Erik Frandsen said that these improvements will create a nice gateway into the Town and they look great.
- Commissioner Ruth Ann Nelson said that a picture taken in 1965 of Mainstreet looking east had been posted on Parker's Facebook page and that these park improvements will be nice.
- Commissioner Roxy Colette has watched these improvements take place since he came to Parker and this is one more step in the right direction.
- Commissioner Jane Lane said this is a great opportunity to create an area where both citizens and businesses can benefit from public improvements in an area where we don't want to tell people no, but we want to guide them to where we want them to be. So, it takes care of creating the barrier without making it look like a barrier.
- Commissioner Gary Poole appreciates the Parks Department making their funds stretch as far as they do.

Commissioner Erik Frandsen moved the Planning Commission recommend Town Council approve the site plan. Commissioner Eliana Burke seconded; a vote was taken and was

unanimously.

PUBLIC HEARING OPENED: 7:11 P.M. – RAY J. HARVIE L1 OPEN SPACE SITE PLAN.

Applicant: Town of Parker
Location: North of the intersection of Mainstreet and Canterbury Parkway
Department: Community Development, Ashley Chasez
TRAKiT No.: SP22-099

STAFF PRESENTATION

Ashley Chasez, Planner 1, presented the staff report proposing a site plan to improve Harvie Open Space to allow for trailhead parking, trails and a shelter. The site is located on the north side of the intersection of Mainstreet and Canterbury Parkway. Ms. Chasez concluded with the determinations in the staff report that the Planning Commission recommend Town Council approve the site plan.

Commissioners discussed with staff and applicant:

- Commissioner Ruth Ann Nelson asked if the Town anticipates horses being able to use this open space; *(applicant said yes).*
- Commissioner Ruth Ann Nelson asked whether or not a horse trailer can be pulled into the park: *(applicant said there will not be trailer parking; horse riders will be able access the space by riding down the sidewalk, there will not be any access from the north from the large lots, horse traffic is expected to be light and will mostly be pedestrian).*
- Commissioner Kim Rodell asked how many parking spaces are anticipated: *(applicant said 20 parking spaces which is limited by the conservation easement).*
- Commissioner Kim Rodell asked if signage will be placed when the parking lot is full and is there a contingency plan when the parking lot is full since initially this park could be popular: *(applicant said it may be busy initially, walk in traffic is expected, there is public parking available in the surrounding neighborhoods, there is no access to the open space from Quail Creek Road so there should be no parking there and that other Town trailheads have approximately 20 spaces as well).*
- Commissioner Ruth Ann Nelson asked if there will be handicap parking in addition to the 20 parking spaces: *(applicant said that the 20 parking spaces includes the handicap parking).*
- Commissioner Jane Lane asked if the ADA parking spots would not be gravel; *(applicant said yes, permission was granted by the Land Conservancy to have concrete for the ADA parking spaces and access to the restroom building, that other paths would be made up of stabilized crusher fine material and that rest of the trails will be ADA accessible).*
- Commissioner Roxy Colette asked if the Town reached out to the properties to the north in Douglas County and is there a buffer zone between the proposed trail and these

properties; *(applicant said that this site plan is based on the Master Plan that was approved by Town Council in 2017/2018 which included public comment, there is a large buffer between the trail and the homes to the north, and since this is a passive park, noise or large crowds shouldn't be a problem).*

- Commissioner Kim Rodell asked what the buffer distance is; *(applicant said at least 100 feet).*
- Commissioner Kim Rodell asked if dogs will be allowed which may be a problem with the presence of horses; *(applicant said dogs are allowed but must be leashed and dog bag dispensers will be installed along the trail).*
- Commissioner Erik Frandson asked where the access is; *(applicant said both parking and pedestrian access line up with Canterbury Parkway where a full movement traffic signal will be installed and there will be another right-in-right-out access for emergency vehicles to the east).*

APPLICANT PRESENTATION

None.

PUBLIC COMMENT OPENED

Phyllis Hartzell, who resides at 1659 South Elbert, Elizabeth, CO, said she is here to comment on behalf of her mother who lives in a home in the Quail Creek Estates that is adjacent to the open space. Ms. Hartzell said her parents were told this property would not be built upon, has concerns about her mother living so close to the open space, that her mother's property has no fences, asked for a copy of the Harvey Space agreement that said this area be set aside as open space, asked which property is Lot One, has concerns about property devaluation, has concerns about public access to the open space between homes, would like to know why the property can't be left alone, who is providing financial backing for the project, asked about lighting, wildlife impact, will there be wildlife-proof trash receptacles, asked about pavilions, asked about sanitary services, has fire hazard concerns, has concerns about the homeless using this property, and concerns about safety and patrol issues.

Mariel Frost and Eric Wolfe, who have resided at 10720 Wildridge Court, Parker, CO for approximately two years said that the seller's real estate agent told them that the property would never be developed or it would be open space, provided information about their family, discussed recent home improvements and lack of privacy, said this will devalue their property, said the lack of fencing is a concern and asked if the Town has final resources to address their personal privacy such as windows and fences.

PUBLIC COMMENT CLOSED

Commissioners discussed with staff and applicant:

- Commissioner Gary Poole said that he previously worked for the Douglas County school district when Highlands Ranch was being built when approximately 3,500 people lived there, and someone came to a school district meeting and said that a real estate agent told him that nothing was going to be built to the south. Well now there are approximately 80,000 people living there, so understand that realtors may not know the entire story or be the most reliable source of information.
- Commissioner Gary Poole asked about the original agreement; *(applicant said there is a conservation easement on the property that was signed by the Harvie family, the Harvie family always intended it to be open space, but with public access, that the Harvie's originally gave the property to Douglas County who in turn gave it to the Town of Parker to ensure that it would not be developed, but would have public access that includes parking for 20 cars, one restroom and six foot wide crusher fine trails versus the typical eight to ten foot wide paths, precluded removing trees unless the Town put trees back in, that there is not direct access to the open space from Quail Creek at the request of the Quail Creek neighborhood, that the entire sight will be fenced off with a new cable fence).*
- Commissioner Gary Poole asked for confirmation on the funding source; *(applicant said the funding is from Town sales tax).*
- Commissioner Eric Frandson asked if the agreement is public record; *(applicant said yes and copies can be made available to anyone who makes a request).*
- Commissioner Jane Lane asked what is the date of the conservation easement; *(applicant said 1996 and that it is not new).*
- Commissioner Jane Lane asked whether the wire fencing is just behind Quail Creek or will it be behind the large lots; *(applicant said the entire open space will be fenced in).*
- Commissioner Eric Frandsen asked for confirmation that the open space is currently fenced and that the fence will be upgraded; *(applicant said yes, current barbed wire and wire fences will be replaced with smooth wire fencing with some access points for deer).*
- Commissioner Gary Poole asked if trailheads in the Town of have hours of use posted; *(applicant said the hours of use are 6 am to 11 pm, just like a normal park that would be posted on a "rules and regulations" sign).*
- Commissioner Gary asked about police patrol of the open space; *(applicant said the open space will be patrolled).*
- Commissioner Eric Frandson asked about lighting on site; *(applicant said the only lighting at the space will a small 14 watt light on the restroom structure facing east).*
- Commissioner Ruth Ann Nelson asked if the trash receptacles are wildlife proof to prevent raccoons spreading trash; *(applicant said they don't know if that will happen, but if it does, wildlife type trash receptacles could be added, but they are currently not included in the plans).*
- Commissioner Kim Rodell asked if the Harvie's wanted public access since they gifted the land to Douglas County and then to Parker; *(applicant said yes).*
- Commissioner Roxy Colette asked if the Parks Department had considered adding a tree of shrub barrier to provide privacy for the adjacent homes; *(applicant said the trail is pretty far from the homes, 150 feet or more, which was part of the original trail design to offer a buffer between the trail and the homes).*
- Commissioner Ruth Ann Nelson recalled that she toured the property when the Town

initially acquired it and could not see the homes when walking the trail; *(applicant added the trail is about a mile and a half loop, it won't be crowded like a soccer field or playground, is meant to be passive, may be popular when first opened, but heavy use of the space is not anticipated long term).*

- Commissioner Ruth Ann Nelson said that the open conservancy has had several opportunities for the public to visit and walk the space and the commenters said they had not seen people on the trail, but there has been public access, which shouldn't be an issue.
- Commissioner Ruth Ann Nelson said the only other question from her list regards fire hazards; *(applicant said our Parks Department is currently working on fire mitigation plan for all open spaces and parks including mowing practices to minimize fire risk and that people generally know that they shouldn't be smoking or throwing cigarette butts out into the open space).*
- Commissioner Elaina Burke asked if the restroom is the only structure that will be built; *(applicant said yes and there will be two shade shelters in addition and the trail).*
- Commissioner Elaina Burke asked if the trail will be lighted; *(applicant said no lighting on the trail, but there will be interpretive and wayfinding signs along the trail).*
- Commissioner Jane Lane asked if the Town had received a request to provide the Harvie agreement; *(applicant said no).*
- Commissioner Jane Lane asked what will be done if teenage boys or somebody else gets rambunctious close to the fence line; *(applicant said it be handled by Parker Police just like any other incident).*

PUBLIC HEARING CLOSED: 7:31 P.M. – RAY J. HARVIE L1 OPEN SPACE SITE PLAN.

PLANNING COMMISSION DISCUSSION

- Commissioner Kim Rodell appreciates everyone's concerns, has seen many conservation easement agreements in her professional career, which all read differently, and the agreement does not mean the area goes untouched. When something goes in behind our houses, we tend to think the worst. The Harvie's wanted public access and have added that to the conservation easement. People from the Quail Creek area and the neighborhoods to the east will be using the open space more than people driving to the space, so the parking and trash should not be issues and agrees with Commissioner Ruth Ann Nelson that wildlife-proof trash cans should be considered.
- Commissioner Elaina Burke said she has walked many trails in Parker, some homes backup to trails without fences, that the people using the trails are very polite and that some people from other neighborhoods using the trails pick up trash along the trail, understands the concerns of the speakers, sees this project fulfilling the Harvie's dream to do something great for the Town of Parker, hopes the issues aren't great and doesn't see these issues where she lives in Idyllwilde.
- Commissioner Ruth Ann Nelson said in the past she has lived in a home that backed up directly to a heavily used trail without fencing and she did not have any problems and was able to enjoy her back yard, that people are nicer than you think especially when they

are grateful to have a space like this, doesn't remember seeing homes when she toured the space a couple of years ago, enjoyed the tour and the space, thinks the plans as they have been drawn up are respectful of the neighbors, is excited that the space is ADA compliant, this site plan has her support and hopes that the public comments have been addressed.

- Commissioner Roxy Colette thanked the public for their comments because it does help the commission dig deeper into the plan and design, is hopeful that the commission was able to answer your questions and alleviate some of your concerns, believes that the conservation easement was written to allow for public access, that the trails will be far enough away from the existing homes and is support of the site plan.
- Commissioner Jane Lane agrees with her fellow commissioners, asks that trash receptacles be considered in light of the wild animals, will probably be one of the people who will walk the property, hears the concerns voiced by the public and hopes they have been addressed, believes the space is a great addition to the neighborhood, that it is unfortunate that everyone doesn't have time to perform all the due diligence on a home to understand adjacent properties and is in support.
- Commissioner Eric Frandsen echoed some his fellow commissioner's comments, that the plans are what the Harvie's wanted, appreciates the activation of the property, will be using the property, is in support of the project and would like to add a condition concerning wild life proof trash receptacles.
- Commissioner Gary Poole commented that it is a beautiful piece of property that will allow people to get an idea of how things might have looked, and he is in support of the project.

Commissioner Eliana Burke moved the Planning Commission recommend Town Council approve the Ray J. Harvie L1 Open Space Site Plan. Commissioner Roxy Colette seconded; a vote was taken and failed 2-5, with Commissioners Erik Frandson, Jane Lane, Ruth Ann Nelson, Gary Poole, and Roxy Colette opposing.

Commissioner Ruth Ann Nelson moved the Planning Commission recommend Town Council approve the Ray J. Harvie L1 Open Space Site Plan subject to the following condition: all trash receptacles provided within the open space shall be wildlife-proof. Commissioner Erik Frandson seconded; a vote was taken and passed unanimously.

PLANNING COMMISSION ITEMS

None.

STAFF ITEMS

There are no agenda items for the March 10, 2023 meeting, therefor the meeting will be canceled.

ADJOURNMENT

Commissioner Eric Frandson moved that the meeting be adjourned. Commissioner Ruth Ann

Nelson seconded the motion, and the motion was passed unanimously. The meeting was adjourned.



Jeff Miller
Recording Secretary



Gary Poole
Chair