



PLANNING COMMISSION MINUTES

June 8, 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 Richard Foerster, Ruth Ann Nelson, Roxy Colette and Jane Lane.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

APPROVAL OF MINUTES

Commissioner Ruth Ann Nelson moved to approve the May 11, 2023, meeting minutes. Commissioner Rich Foerster seconded; a vote was taken and passed unanimously.

PUBLIC HEARING OPENED: 7:02 P.M. – STROH RANCH PLANNED DEVELOPMENT 3RD AMENDMENT

Applicant: Norris Design
Location: North of Stroh Road and West of Parker Road
Department: Community Development, Julia Duncan
TRAKiT No.: Z22-016

Planning Commission Chairman Gary Poole read a statement to the commissioners and audience addressing hearing protocol and structure including staff and applicant presentations, public comment, staff and applicant response and commissioner discussion.

STAFF PRESENTATION

Julia Duncan, Associate Planner, presented the staff report proposing a PD Amendment to add 275 units to the Stroh Ranch PD and allocate them to the Mixed-Use Planning Area for Filings 14 and 15 and amend the commercial uses permitted within the same Planning Area. Ms. Duncan concluded with the determinations in the staff report that the Planning Commission recommend Town Council approve the zoning.

Commissioner discussion with staff:

- Commissioner Ruth Ann Nelson asked about the minimum amount of commercial within a community center; *(staff said the 2035 Parker Master Plan recommends a minimum of 33% within a community center).*
- Commissioner Ruth Ann Nelson asked what the percentage of commercial is in this community center; *(staff said 52.6% of the 47.7 acres).*
- Commissioner Ruth Ann Nelson asked for the definition of market rate; *(staff said it is what the market dictates, it's not covenant, or deed restricted on affordability).*
- Commissioner Roxy Colette asked if this area is currently zoned mixed use, and if it allows for medium density residential within the community center commercial; *(staff said medium density residential is within this community center commercial which has different standards than a medium density residential neighborhood).*
- Commissioner Roxy Colette asked if the three and a half dwelling units per acre of medium density is the reason for the rezoning; *(staff said no, the community center designation in the master plan allows for a higher density, that Mixed Use planning areas within the planned development allow for 22 dwelling units per acre, and what is being requested is 12 dwelling units per acre which is less and so this rezoning is specifically related to the PD and not the master plan.).*
- Commissioner Roxy Colette asked why the rezoning includes the elimination of auto uses; *(staff said that the elimination of high intensive automotive uses would be a benefit to the community and allow for higher end retail).*
- Commissioner Jane Lane asked if the dwelling units per acre that's being referenced is for the entire PD and not just the proposed amended portion of the PD; *(staff said the PD allows for a maximum density for this planning area of 22 dwelling units per acre. The amendment would allow what they're proposing. The 275 dwelling units per acre equates to 12 dwelling units per acre).*
- Commissioner Jane Lane asked if in this planning area, specifically, the number of units per acre is lower density than what was originally allowed under the PD *(staff said yes).*
- Commissioner Jane Lane asked if the staff report specifically states that there is no availability of transfer of units from one portion of the PD to this one because it was not exercised at a previous moment in time, so we're changing the density, but we're changing it within these particular filings; *(staff said yes).*
- Commissioner Jane Lane asked for an explanation about the criteria that it needs to meet engineering standards for roadway design, but the staff report does not specifically call out that it has been approved by the engineering department, but rather that it will be; *(staff said the engineering department did do a review of the traffic study. And when the actual site plan is applied for the applicant will have to either conform to those or do new studies, depending on how the development proceeds.).*
- Commissioner Richard Foerster asked if the Town is still using the 80/20 guideline referring to 80% single-family to 20% multifamily ratio; *(staff said yes).*

APPLICANT PRESENTATION

Carolyn White, land use counsel for Mill Creek Residential, Bill Mahar, Norris Design and Nick Halstead, Mill Creek Residential gave the presentation.

- The applicants provided company background, company philosophy and recent projects.
- The applicants provided an overview of the project.
- The applicants provided a summary of the PD amendment.
- The applicants provided summary of their public outreach efforts.

COMMISSIONER DISCUSSION WITH STAFF AND APPLICANT

- Commissioner Ruth Ann Nelson asked if there are height restrictions for the commercial buildings; *(staff said the building height is dictated by the mixed-use development standards in section K of the PD, which limits height to 40 feet).*
- Commissioner Ruth Ann Nelson asked if the PD was not amended what would the total allowed dwelling units be; *(staff said 221 dwelling units had been transferred and not built that would be available to the mixed uses planning areas).*
- Commissioner Ruth Ann Nelson asked if there are other property within the PD planning areas that the dwelling units could also be applied to; *(staff said no).*
- Commissioner Ruth Ann Nelson said everything is completely built out except for these units; *(staff said yes for the 221 units and the request is for 275. So they're asking for 54 additional units what would have been originally allowed by right under the PD for this area).*
- Commissioner Ruth Ann Nelson asked for clarification on the need for the 54 additional units; if the zoning change is only for the additional 54 units being requested other than the removal of some auto related uses; *(staff said that the 221 units that could have been built under the original PD or gone now, so a PD amendment would be needed to get the 221 units back, and we are proposing a total of 275 units for an increase of 54 units, but a reduction from the original proposal of 322).*
- Commissioner Jane Lane clarified that today the applicant is actually requesting an amendment to the PD for 275 units because zero units are currently allowed by the PD and the reference to an increase of only 54 units is not accurate; *(applicant agreed).*
- Commissioner Roxy Colette asked why 221 units are no longer available; *(staff said the PD allowed for approximately 2,800 units to be built, and 221 units were not built and could have been transferred to this mixed-use planning area with the caveat the 221 units needed to be transferred administratively at the time of site plan, but they weren't so they were lost).*
- Commissioner Ruth Ann Nelson asked why the units were not transferred at the time of site plan; *(staff said it would have had to been transferred by the applicant of the planning area to the mixed use area).*
- Commissioner Ruth Ann Nelson asked if the developer will retain ownership of the outlying commercial properties and who will manage the commercial property;

(applicant said the ownership and operation of these structures is still to be determined, and the management of the commercial in the mixed use properties will be managed by Mill Creek).

- Commissioner Ruth Ann Nelson asked if the applicant has history managing the mixed-use commercial; *(applicant said yes).*
- Commissioner Rich Foerster asked if any of the 275 units will be subsidized housing; *(applicant said no, it is all market rate).*
- Commissioner Roxy Colette asked if Parker has mixed-use vertical building; *(staff said that downtown has ground floor retail and offices above and the hotel on Mainstreet has ground floor retail and hotel occupancy above, however they are not vertical mixed-use as proposed here tonight, but the Town does have some projects in the pipeline such as the Confluence projects downtown that will be mixed-use vertical; applicant said it may not exist in great numbers today, but it is a goal of the Town to get towards more vertically integrated mixed use).*
- Commissioner Ruth Ann Nelson asked if the apartments on Mainstreet and Dransfeldt Rd are vertical mixed-use; *(staff said yes).*
- Commissioner Roxy Colette asked the applicant to explain high quality retail and how it is secured; *(applicant said they work with local brokers to identify missing retail niches in Parker that can't afford standalone buildings such as coffee shops, delicatessens, service accounting firms and professional office firms).*
- Commissioner Roxy Colette asked the applicant to provide traffic calming and traffic mitigation details; *(applicant said the project is not at that stage yet, but they are talking with neighbors, listening to their concerns and working with Town staff to make sure traffic plans align with Town requirements).*
- Commissioner Jane Lane asked about potential traffic stacking; *(applicant said traffic will be evaluated in conjunction with Town staff as the project progresses forwarded and the applicant locate the stand alone commercial and mixed-use areas with traffic in mind).*
- Commissioner Jane Lane asked about traffic circulation, setbacks and zoning as it relates to the proposed parking behind existing single-family residences; *(applicant said this is only a conceptual plan, but they are mindful of parking placement placed in the rear away from interior streets to preserve a family oriented and walkable neighborhood and they will landscape and buffer the setback extensively and likely exceeding code requirements.).*

PUBLIC COMMENT

- Steven Matthews, who resides at 12971 Norway Maple St. Parker, and is the Village on the Green HOA President, said their major concerns are traffic, roads and traffic lights.
- Dan Jones who resides at 12955 Norway Maple St., Parker, said it looks like big money has come back to Parker, talked about recently built apartments, asked about the traffic study and asked that the applicant build a grocery store.

- Austin Canady, who resides at 12361 Nate Cir., Parker, thanked Commissioner Jane Lane for clarifying details, talked about crime in the area and asked what will be done when more people move in.
- Joy Overbeck, who resides at 19692 Man Creek Dr. Unit D, Parker, a Stroh Ranch HOA Board member, talked about her opposition to adding more apartments to the area, a recently added HUD complex, traffic concerns, discussed confusion regarding the number of apartments being proposed and existing zoning.
- Nick Zimmerman, who resides at 12837 Silver Plume St. Parker, said the applicant's door knocking campaign only had a 20% support for the project, asked for clarity on the Master Plan's circle, said that homeowners purchased homes with the understanding that the 221 units were not available, talked about traffic and prairie dogs, lack of consistency with the rest of Parker in regards to vertical mixed-use and does not think this is the best location for these apartments.
- Justin Scranton, who resides at 12937 Ironstone Way #301, Parker, talked about the effect this project would have on property values, congestion, density, possible future recession repercussions, adding a grocery store instead of apartments, impacts to water and sewer, views, dust control during construction, the use of local builders for the construction and the difference in elevation between existing properties and proposed apartments.
- Eric Ross, who resides at 18952 Clear Creek Dr. Parker., discussed his concerns regarding changes to the planned development document and how it impacts current owners.
- Kathleen Petrick, who resides at 18267 Michigan Creek Way, Parker, discussed education and schools as it relates to this proposal.
- Curtis Kirk, who resides at 19046 Oak Creek Pl., Parker, talked about what concessions the developer or the Town are going to give in exchange for the 275 units, potential traffic impacts, how a project such as this can be considered without final conceptual plans, engineering plans, etc.

STAFF'S RESPONSE TO PUBLIC COMMENT

- This application is a zoning request only and not a request to amend the Master Plan.
- The circle that shows the community center on the master plan map is an approximate circle. It's always been represented graphically at the cross section of a major intersection.
- Of the comments that were received through 6 pm this evening and included in the Hearing Packet, the Town received 36 resident letters of support and 17 email comments, 15 of which were in opposition and two of which were in support.
- Prairie dogs are regulated by our prairie dog ordinance. Prairie dogs have to be relocated or humanely euthanized. There is a 30 day pause after any application's approval prior to a grading permit, where the applicant must go through our prairie dog ordinance and sign an affidavit saying they've worked with local dog relocation groups.

- Construction best management practices are required, and our engineering, public works and building departments can speak more to that. For example, irrigating during excavation and grading to keep dust contaminants at low levels.
- There was an affidavit signed that notification adhered to Town standards of noticing adjacent neighbors for water.
- The property is within the Parker Water Sanitation District. All required water reviews for submission of the zoning request were submitted and included in the original application.
- Public improvements are addressed at the site plan application including traffic mitigation, traffic lights, sidewalk improvements, streetscapes, etc.

APPLICANT'S RESPONSE TO PUBLIC COMMENT

- Mill Creek Residential has their own construction company, will act as the general contractor and hire local subcontractors to perform the work.
- School capacity and education will be reviewed during the site plan review process by the school district. Also, multifamily residential typically has a lower student population than single family residential.
- Clarified that only the zoning application is being presented, not the actual project. Only zoning parameters such as uses, densities, building heights, etc. are being considered and that more detailed documentation will be included in the actual site plan.
- Town wide, region wide and statewide, there is an urgent need for more housing, particularly multifamily and alternative product types of housing compared to single family detached.
- This is the last undeveloped area in Stroh Ranch and was always intended to be developed.

ADDITIONAL COMMISSIONER DISCUSSION WITH STAFF AND APPLICANT

- Commissioner Ruth Ann Nelson asked if speed limits will be increased or decreased with the additional traffic on the collector and main roads; *(staff said they are unable to predict but will probably stay the same).*
- Commissioner Ruth Ann Nelson asked about traffic calming options; *(staff said the town does have a program, the Neighborhood Traffic Calming Partnership, and involves engineering, public works and the police department, which works in stages of escalation when a perceived speeding issue is identified.).*
- Commissioner Roxy Colette asked whether the traffic studies included the residents in the new, nearby apartments and the new residents being added along Crowfoot Valley Rd. and the two lane bridge on Stroh which is narrow; *(staff said the widening of Stroh Rd. bridge over Cherry Creek which is in the five year CIP plan is currently in the design phase and traffic studies and adjacent traffic studies were provided to the applicant's engineer).*
- Commissioner Rich Foerster asked in the absence of this application, would there be more land available for retail; *(staff said the PD currently allows both commercial and a*

variety of residential types and since the 221 units were not transferred, today the 23 acres could only be commercial which includes automotive uses).

- Commissioner Ruth Ann Nelson asked for an explanation of the differences between this application and the South Range Apartments ; *(staff said the Dominion/South Range Crossings was a site plan, that the land use for multifamily already permitted by zoning and tonight is a proposal to amend the current Stroh Ranch PD zoning brought forward by the property owner).*
- Commissioner Ruth Ann Nelson asked for an explanation on the addition of multi-use commercial to the PD which is not included in the Master Plan; *(staff said it is actually called mixed use commercial and Town staff requested the applicant to preserve specific parcels for commercial only to meet the intent of the PD in addition to the mixed-use commercial / residential).*
- Commissioner Ruth Ann Nelson asked if the changes proposed to the PD effect other areas in the PD if they were to be redeveloped; *(staff said no, that these proposed changes only affect section K of the PD which is exclusive to mixed use in filings 14 and 15).*
- Commissioner Ruth Ann Nelson asked if mixed use requires residential; *(staff said no, that the Town has two definitions for mixed use: vertical mixed use, which is a more traditional mixed use with ground for commercial and residential above and horizontal mixed use, which is just different types of commercial uses which could also be commercial adjacent to horizontal residential.).*
- Commissioner Ruth Ann Nelson asked about the elevation difference between existing homes and the proposed development; *(staff said they do not have a grading plan to evaluate and that a site plan would be evaluated with a grade plan and reviewed against the PD's building heights and setbacks).*
- Commissioner Ruth Ann Nelson asked what the required setbacks are in the PD for the homes going north and south next to Village on the Green homes; *(staff said the rear setback is 20 feet but there's a number of provisions within the PD, including what's known as a floor area ratio (F.A.R.), which limits development to 0.6 to 1. For example, if you had a thousand square foot lot, you could build a 600 square foot building. So, the floor area ratio has a very limiting effect on or limiting on the massing and build out of a building because it limits side, rear and front yards in height because you're only allowed a maximum square footage of 0.6 to 1, and the Town also requires 45% landscaping for multifamily).*
- Commissioner Jane Lane asked without a grade plan, how would the height of the proposed building be measured; *(staff said there is not a request to the change building heights and a 40 foot building could be built today by right which is measured from the grade around the building to the peak of the building).*
- Commissioner Ruth Ann Nelson asked what the difference is between multi-family residential traffic, single family residential traffic and commercial property traffic in general, not just for this site; *(staff said all of our traffic studies are required to follow the*

Institute of Traffic Engineering (ITE) accepted trip generation rates for a given use. For example, for a commercial use, ITE goes out and does studies on different commercial all over the country and figures out how many trips they tend to generate to come to an average and there is a difference between single (about nine trips per day per dwelling) and multi-family (about seven trips per day per unit).

- Commissioner Jane Lane asked that the trip numbers be restated; *(staff said he doesn't have the commercial trip numbers, possibly the applicant does, but that single family is approximately nine trips per day and multi family is approximately 7 trips per day; applicant said that commercial use typically generate more traffic than residential uses, roughly a 33% reduction in average trips).*

PUBLIC HEARING CLOSED: 8:55 P.M. – STROH RANCH PLANNED DEVELOPMENT 3RD AMENDMENT

PLANNING COMMISSION DISCUSSION

- Commissioner Roxy Colette said he likes the design, that it appears a lot of thought went in to it, appreciates the applicant's community outreach efforts, pointed out that there is only one grocery store in the area, believed that King Soopers has a desire to expand which the area needs, noted that this proposal is adding high density at the edge of Town, believes that this project is a great design, but not at this location and would be appropriate closer to downtown, that it doesn't match the character of the existing surrounding neighborhoods such as Robinson Ranch, that these types of developments have been going in without much thought, doesn't like suburban sprawl which this is and is not in favor of this zoning amendment.
- Commissioner Ruth Ann Nelson said that Parker needs more attainable apartments, that folks that live in single family homes don't understand the need, that rental versus ownership is a growing preference among this demographic, is not sure if putting the residential into an area that is thought of as commercial is appropriate, is concerned about the addition of 275 more living units to the area, is concerned about the amount of additional trips and traffic that this project will add to the area and whether the area's roads can handle the increased traffic, talked about the Master Plan and the emphasis of mixed-use and the conceptual plans of this projects as it relates to building types and locations, that some commercial is included in this primarily residential project and will benefit the existing area's residents and the removal of automotive uses will also benefit the residents in the area, that this project would elevate that part of Town and wants to hear her fellow Planning Commissioner opinions before deciding how to vote on this zoning amendment.
- Commissioner Rich Foerster thanked the applicant for their community outreach, likes the plans presented for the project especially as the buildings are located next to Village on the Green Homes, believes that if the project were all commercial more traffic would be generated than just residential buildings, appreciates the elimination of the automotive uses, appreciates the added retail to the area which is needed for the growth in the this

area and down south, likes the addition of a park to the community, talked about the 80-20 ratio as it relates to single family versus multi family homes that its just not a Stroh Ranch ratio but that it applies to all of Parker, said that Stroh Ranch was developed 35 years ago and that it is hard to predict and plan future population growth so traffic situations will need to be worked through, that traffic for this project will be less than if it was all commercial, that the increase of units to the area is minimal at 1.9%, that the Town's nine criteria have been met and he will be in favor of the zoning amendment.

- Commissioner Jane Lane said she agrees with the last commissioner's comments, believes that the proposed zoning is needed now in the marketplace, believes there is a need in Parker for diversified types of housing, understands that it is difficult to not focus on the conceptual plans as presented, that the zoning to create additional housing type mixes is needed in the Town, that actual engineered, architectural plans are not part of the zoning amendment but will be included in a future site plan application, believes that the existing roads will handle the increased traffic, that the criteria have been met and is supportive of the zoning application.
- Commissioner Gary Poole thanked the applicant for their thoroughness with the presentation and community outreach, thanked the community who came out and provided their input, said that the Parker police chief said overall crime is down, that the school district will only sign off on projects like this if capacity exists, that student generation from apartments is traditional low, believes the addition of the apartments to existing surrounding area is a good blend, that this will bring affordable housing to the area that can possibly address the teacher shortage, likes the plan, believes it is the right use for the area, said that if zoning was left as commercial and automotive uses such as gas stations and auto repair stores were proposed, the community would not be supportive of the those uses either, that this area is not open space, but is private property and is in favor of the zoning amendment.
- Commissioner Ruth Ann Nelson said you can't have mixed-use without residential, is not particularly excited about the conceptual plans, but will vote in favor of the zoning amendment because this type of housing is needed in the Town and there is some commercial in the plans.

Commissioner Rich Foerster moved the Planning Commission recommend Town Council approve the zoning. Commissioner Jane Lane seconded; a vote was taken and was passed 4 – 1, with Roxy Colette opposing.

PLANNING COMMISSION ITEMS

None.

STAFF ITEMS

Bryce Matthews reminded the commissioners that Jeremiah Fettig sent an email that the Bike and Ped Master Plan has been posted in advance of the next Planning Commission Meeting.

ADJOURNMENT

Commissioner Rich Foerster moved that the meeting be adjourned. Commissioner Ruth Ann Nelson 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