



PLANNING COMMISSION MEETING

7:00 PM

January 11, 2024

Prior to the Meeting: 5:30 p.m. *Planning Commissioner Training*

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.

Public Viewing Only - YouTube: Planning Commission meetings may be viewed through YouTube at: <https://www.youtube.com/townofparkerco>.

PLEASE NOTE: Public participation is NOT available through YouTube.

1. PLANNING COMMISSION MEETING SCHEDULE

- A. 5:30 P.M. - Call to Order Planning Commission Meeting and Roll Call**
- B. Study Session - Immediately following Call to Order/Roll Call - (see attached)**
- C. Reconvene Planning Commission Meeting at 7:00 P.M.**

2. PLEDGE OF ALLEGIANCE

3. ADDITIONS TO OR DELETIONS FROM THE AGENDA

4. APPROVAL OF MINUTES

- A. Planning Commission Meeting Minutes - 11.9.23**

5. PUBLIC HEARINGS

A. HARDING HEIGHTS –

- 1. Parker Downs Filing No. 3 Lots 1 and 2 Rezone to Commercial**
- 2. McClintock II Lot 1 Rezone to Commercial**
- 3. Use by Special Review**
- 4. Minor Development Plat**

Applicant: Coy Williams, Kimley-Horn

Location: Southwest corner of Parker Road and Longs Way

Department: Community Development, Ashley Chasz

TRAKiT Nos.: Z20-016, Z20-021, SUB20-031

6. PLANNING COMMISSION ITEMS

7. STAFF ITEMS

8. ADJOURNMENT



Planning Commission Study Session Staff Report

Planning Commission Date: 1/11/2024

Project Planner: Mary Munekata, Senior Planner

Executive Summary: Community Development staff and project consultant Clarion Associates will present an update to the Planning Commission on the adoption draft of the Land Development Ordinance (LDO) Modernization Project. The adoption draft is the culmination of the three new modules (installments) that make up the new LDO.

Staff Recommendation: For presentation and update purposes only, subject to any direction that Planning Commission may wish to provide on the Adoption Draft.

I. BACKGROUND/DISCUSSION

The LDO was originally adopted in 1981 from Douglas County zoning as part of the incorporation of the Town. It includes administrative provisions and regulations governing the use and development of land in the Town. Portions of the LDO have remained unchanged for over 30 years, while others have been amended and expanded incrementally over time in response to growth issues, changing market conditions and Town Council priorities. These incremental updates and revisions have created gaps, inconsistencies and ambiguity within the regulations – resulting in challenges for the public, the development community and Town staff as the LDO is interpreted and implemented. The LDO Modernization project is intended to address these issues.

The updated LDO will facilitate a more transparent, modern and efficient approach to how the Town manages future growth and development by better aligning the LDO with the vision, goals and policies of the *Parker 2035 Master Plan* and other adopted planning documents.

Other benefits of this project include:

- Improved development standards
- Adoption of modernized zoning approaches and best practices
- Reduced reliance on Planned Development (PD) zoning
- More predictable and efficient processes
- Easier to use regulations for the public, staff and applicants

The LDO Modernization project commenced in October 2018 with Phase 1 (of 2). Phase 1 included community engagement and analysis of the current LDO resulting in a

Diagnostic Report, Annotated Outline and a Project Charter. The Project Charter is a road map of how the project is to be carried out.

Upon the successful completion of Phase 1 and Town Council direction to proceed in mid-2019 with Phase 2, staff and the project consultant began drafting the revised LDO. The resulting three (3) installments of the LDO were developed:

1. **Module 1 – Zoning Districts and Uses** was completed, and a summary of the public draft and proposed changes were presented to the Town Council at the April 13, 2020 Study Session.
2. **Module 2 - Development Standards** was completed and a summary of the public draft and proposed changes were presented to the Town Council at the June 14, 2021 Study Session.
3. **Module 3 – Administration and Procedures** was completed and a summary of the public draft and proposed changes were presented to the Town Council at the October 10, 2022 Study Session.

The Consolidated Public Draft, which combines the three modules, was posted on “Let's Talk Parker” on September 21, 2023 for public, staff and referral agency comment. Comments were reviewed and informed the development of this final Adoption Draft which will be posted in January 2024.

Additionally, a new LDO Administrative Manual (Manual) has been drafted from extracted materials/text from the existing LDO. The materials removed from the current LDO and to be located in the Manual include items such as application information, submittal requirements, plat formatting requirements and similar items that are generally not found in modern codes. The Manual can be periodically changed administratively when technical updates or amendments are required.

II. REQUESTED DIRECTION

Staff and the project consultant request feedback and direction to proceed to adopt the new LDO in the first half of 2024.

Report Approved By: Bryce Matthews, Assistant Director-Planning



PLANNING COMMISSION MINUTES

November 9, 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 Leland Sloan, Jane Lane, Ruth Ann Nelson, Erik Rieger and Eliana Burke.

ADDITIONS, MODIFICATIONS OR DELETIONS FROM THE AGENDA

None

APPROVAL OF MINUTES

Commissioner Eliana Burke moved to approve the October 26, 2023, meeting minutes. Commissioner Leland Sloan seconded; a vote was taken and passed unanimously.

PUBLIC HEARING OPENED: 7:01 PM – CROWN POINT CENTER PD AMD 4 - ASSISTED LIVING

Applicant: Ryan Companies
Location: 9248 Crown Crest Blvd.
Department: Community Development, Ashley Chasez
TRAKiT No.: Z23-005

STAFF PRESENTATION

Ashley Chasez, Planner I, presented the staff report proposing to amend the Crown Point Center Planned Development (PD) Map to expand Planning Area 6B to allow for Assisted Living and Memory Care Facilities. Ms. Chasez concluded with the determinations in the staff report that the Planning Commission recommend Town Council deny the Crown Point Planned Development 4th Amendment as the request does not meet the following approval criteria:

- A need exist for the proposal
- The particular parcel of ground is indeed the correct site for the proposed development.
- There have been significant changes in the area to warrant a zone change
- The proposal is consistent with the Town Master Plan, maps, goals, and policies.

Commissioner discussion with staff:

- Commissioner Ruth Ann said she didn't see the letter of recommendation referred to by

Ashley in the packet; *(staff said she doesn't have a copy readily available; copies were printed and provided to the commissioners).*

- Commissioner Eliana Burke told Ashley that her presentation was thorough and very well done.
- Commissioner Leland Sloan asked if all nine criteria need to be met; *(staff said yes).*
- Commissioner Ruth Ann Nelson asked Ashley to respond to the claim that the changing demographics in Douglas County and Parker creates a need for this type of proposal; *(staff said there are adequate properties that are already zoned for this use negating the need to rezone this and other properties and that there are already a number of assisted living facilities in the Parker area).*
- Commissioner Erik Rieger asked as far as the other assisted living properties that are already zoned for this type of use, how close are they to this proposed assisted living project; *(staff said referring to a slide in the presentation that sites adjacent to the this proposed assisted living project to the east and west are zoned for assisted living).*
- Commissioner Jane Lane asked where the other assisted living facilities are located in relation to Crown Point; *(staff said there are other facilities within the Town and there is one facility slightly north of the proposed facility on Cottonwood Dr. near E470).*

APPLICANT PRESENTATION

Steve Strom (Ryan Companies) gave the applicant's presentation.

- The applicant provided information on the Ryan Companies and similar projects in other markets.
- The applicant provided an overview of the project.
- The applicant shared several slides illustrating the site and building elevations.
- The applicant provided information supporting the PD amendment.

Commissioner discussion with applicant and staff:

- Commissioner Ruth Ann Nelson asked why the applicant isn't choosing one the adjacent lots that are already zoned for this use; *(applicant said that in commercial real estate you need a willing seller and a willing buyer, and this lot has a willing seller that's interested in supporting this development, this lot is proximate to the main entrance to the Crown Point Development, and this location has the accessibility to the neighboring amenities).*
- Commissioner Jane Lane asked if the reason that the applicant is asking for this particular parcel and asking for a zoning change is because of its visibility from the road, and maybe the hospital, but possibly the reason why the Town doesn't want this particular use here is because the Town wants commercial uses to be in this more visible locations; *(applicant said he understands the Town's desire to have a use that its currently allowed by zoning at this location, however the market is efficient and these businesses have chosen other sites, the applicant desires a site with good visibility much like other business desire good visibility, that the building proposed is similar to other permitted uses such as a hotel, in addition to visibility the applicant also desires the accessibility of this lot which impacts travel distances and this is property is available for development while the other properties are not).*
- Commissioner Jane Lane said she is pro walking, pro alternative transportation and asked

why the applicant talked about RTD access when walking a quarter mile is going to be a huge imposition to the people that will be using this facility or will they use alternate forms of transportation; *(applicant said the facility's staff may want to access RTD, that most residents do not own or use a car, that they do not anticipate a huge resident demand for access to RTD, and that they utilize a facility van to transport residents to appointments, etc.).*

- Commissioner Jane Lane followed up by saying the reason you need this high visibility location to be zoned for your particular use is because transportation needs to be accessible to the hospital across the way and the primary occupants of this particular building are not going to be using alternative forms of transportation, and that the extra quarter mile to the adjacent lot isn't a big barrier to people who are already driving.
- Commissioner Ruth Ann Nelson asked the applicant to respond to staff's statement in the staff report this assisted living and memory care use described in the proposal is residential in nature with few employment or economic benefits; *(applicant said the local economy will benefit and they will provide 150-175 quality jobs).*
- Commissioner Ruth Ann Nelson asked how employment for the proposed facility would be different than a hotel or office that is currently allowed by zoning at this location; *(applicant said positions would be healthcare, sales, marketing and management related and a hotel would have a fraction of the jobs).*
- Commissioner Erik Rieger asked for a breakdown of the 150-175 jobs that would be created at the proposed facility such as nursing compared to a hotel or office; *(applicant said typically they have ten department heads including an executive director, sales director, accounting, business staff and most of the employees are going to be the caretakers, nurses, physical therapist and wellness program coordinators).*
- Commissioner Erik Rieger asked if the applicant had looked at other locations where zoning would allow this use; *(applicant said yes, but this location was available and meets the applicant's criteria including a location that provides visibility).*
- Commissioner Ruth Ann Nelson asked about the first criteria that could be taken to mean a zoning change or a proposal to provide additional senior housing and the need does or does not exist for a proposal to build additional senior housing in Parker; *(staff agreed that there is a need for additional senior housing, but there are other locations in Town where existing zoning supports the use of senior housing).*
- Commissioner Ruth Ann Nelson asked for staff's response about criteria number four that states, "there have been significant changes in the area to warrant a zone change", and considering the applicant's statement regarding market changes to a reduced need for office space, the need for additional senior housing and the build out north of E470 that supports the client's claim that a zone change is required; *(staff acknowledged the market changes, however the uses in this area are being developed according to the Town's Master Plan).*
- Commissioner Ruth Ann Nelson asked why staff has supported other zone change proposals and not this proposal and does the size of the parcel have anything to do with it; *(staff said their position on this zoning proposal is to have consistency within this PD and parcel size is not a factor in staff's decision).*

PUBLIC COMMENT

Mitch Trevey, Trevey Commercial Real Estate, Parker, CO, has consulted with the applicant,

discussed property availability in Parker relative to senior housing, discussed the applicant's business plan, discussed the current senior housing capacity and future needs in the community, discussed the proposed facility's benefits for the community, discussed the proposed facility's beneficial location to existing medical facilities, discussed the development of Crown Point over the years and change in medical office space usage, and discussed employment opportunities relative to this proposal.

Additional Commissioner discussion with applicant and staff:

- Commissioner Jane Lane asked about zoning differences among various communities where this use might be considered a medical use rather than residential and why Parker has segregated these uses and why Parker can't try to make this use fit current zoning at this location; *(staff explained that this use is considered residential based on the resident's length of stay, that it's not a short term rehabilitation or medical center).*
- Commissioner Jane Lane said the facility will employ medical staff and asked how those medical components are excluded from a medically centered area; *(staff said medical uses are part of the proposal and are ancillary, and the primary use is residential).*
- Commissioner Jane Lane asked what the difference is between people living in this type of facility and a hotel since the building types are essentially the same; *(staff said while the building types are similar the lengths of stays are different).*

PUBLIC HEARING CLOSED: 8:06 P.M. – CROWN POINT CENTER PD AMD 4 - ASSISTED LIVING

Planning Commissioner Discussion

- Commissioner Eliana Burke said she didn't ask questions because Ashley's staff report was thorough, that bringing jobs to Parker is important, that Parker's Master Plan needs to be maintained and upheld, it is the Planning Commission's job to make sure the criteria are met and when they are not, we must deny.
- Commissioner Ruth Ann Nelson spoke in opposition to the staff's recommended denial, appreciates staff's work on the application, believes a need does exist for this proposal which requires a change to the zoning, additional senior housing is needed in Parker, believes that this is the correct site for this proposal since it is available to purchase and can be developed now, is near the hospital, believes the market has changed which warrants a zone change, said that the applicant's business model to provide medical services to seniors will be the model moving forward, discussed the differences of the north and south portions of Crown point and how they have been developed, believes the proposal is consistent with the Town's Master Plan, and believes this proposal would bring more and better paying jobs than other uses that would be allowed such as a hotel.
- Commissioner Jane Lane said she appreciates the applicant and their interest in developing in the Town, wishes the applicant had selected a different site, understands that the applicant needs a site that is available for purchase, not just undeveloped and not available for sale, believes the zoning at this site was created for a specific reason, that if the entire Crown Point area were to be rezoned, that this would be a different question instead of trying to spot zone for a particular use, hopes the applicant finds a different site, believes that a need for additional senior housing exists, that this isn't the right site and will be

supporting denial of the proposal.

- Commissioner Erik Rieger appreciates the work done by staff and applicant, believes the Town's Master Plan and the PD sets the zoning and making exceptions for individual sites is not what was intended and is in support of the denial.
- Commissioner Leland Sloan said he read through the proposal, reviewed the Town's Master Plan and is concerned that if this site is rezoned to residential as being proposed, what would happen if someone else asked for a similar rezoning at another site, they might say the Town did it for this proposal and why can't you do it again, so for this reason he is in support of the denial of this proposal.
- Commissioner Gary Poole said the state demographer said that seniors close to qualifying for these types of facilities are choosing to age in place, usually in their homes, does not doubt that there are not any vacancies at other senior living facilities, believes that many residents of these types of facilities are not actually Parker residents, while 150-175 new jobs sounds nice many businesses in Parker cannot find employees right now, the long term issue for finding employees is transportation to businesses in Parker from outside Parker, current zoning and zoning decisions of Parker were made with the best interest of the Town and future development, we cannot choose to change zoning haphazardly and is in support of the denial.

Commissioner Eliana Burke moved the Planning Commission recommend Town Council deny the Crown Point Planned Development 4th Amendment as the request does not meet the following approval criteria:

- A need exist for the proposal
- The particular parcel of ground is indeed the correct site for the proposed development.
- There have been significant changes in the area to warrant a zone change
- The proposal is consistent with the Town Master Plan, maps, goals, and policies.

Commissioner Erik Reiger seconded; a vote was taken and was passed 5-1 with Commissioner Ruth Ann Nelson not supporting denial.

PUBLIC HEARING OPENED: 8:19 P.M. – POPE PROPERTY – ZONING

Applicant: David Brehm, Plan West
Location: South of the intersection of Twenty Mile and Dransfeldt Road
Department: Community Development, Stacey Nerger
TRAKiT No.: Z22-032 and Z22-037

STAFF PRESENTATION

Stacey Nerger, Senior Planner, presented the staff report proposing to zone an approximate 38-acre property to three zone districts: Open Space (9.2 acres), Agriculture (11.791 acres) and Greater Downtown Market Center (17.484 acres). In addition, rezoning of a small portion of property to Open Space and Agricultural from the Greater Downtown District Market Center. These proposed zonings are in conjunction with a proposed annexation. Ms. Nerger concluded with the determinations in the staff report that the Planning Commission recommend Town

Council approve the Pope Property Zoning of approximately 9.2 acres to Open Space, approve the Pope Property Zoning of approximately 11.791 acres to Agricultural, and approve the Pope Property Zoning of approximately 17.484 acres to Greater Downtown District Market Center.

Commissioner discussion with staff and applicant:

- Commissioner Ruth Ann Nelson asked why the two smaller parcels proposed are being rezoned when the planning commission voted against rezoning in the previous hearing; *(staff said it is to make the property's zoning consistent with the surrounding area, that this property was already annexed and zoned in the Town and currently provides drainage for the Flat Acres Marketplace to the east. With this annexation and zoning, these small parcels will be zoned to match the new zoning of the properties surrounding them. The small parcel to be zoned open space is within the 100 year floodplain and will be dedicated to the town to own and maintain, , the other small parcel that's the agricultural component is just to keep the zoning consistent with the zoning of the property surrounding it and will be in the 100 year floodplain.*
- Commissioner Ruth Ann Nelson asked about the Town incurring related project expenses for things such access points, privacy fence, drainage, a spur dike, a bridge, a wildlife fence and why it was included in the zoning proposal; *(staff said that's a big picture of what the Dransfeldt Road town project is, that there are negotiations for this project through the annexation which include items to be dedicated to the town for Dransfeldt Road, drainage including the spur dike, which is part of the drainage and improvements to Cherry Creek which are associated with the entire project, not zoning, but associated with the annexation).*
- Commissioner Jane Lane asked about the change in elevation due to the road construction and noted that the staff report was lacking detail and that she can rest assured that Town engineers are aware of and working on this; *(staff said that Town staff has been working on the plans for many years, that this will be the longest bridge in the Town once completed, that the elevations are changing to get over the 100 year floodplain and the road will be built to span and clear the floodplain).*
- Commissioner Leland Sloan asked if the Dransfeldt Road extension will be able to handle the additional traffic with the additional retail development; *(staff said yes, that Dransfeldt Road is a collector where it ends at Twenty Mile Road and that Dransfeldt Road will continue as a collector to Motsenbocker Road).*
- Commissioner Jane Lane asked if the height restriction of 60 feet or 4 stories is consistent with the zoning for the rest of this area; *(staff said this property is proposed to be zoned Greater Downtown – Market Center and will be consistent with the entire area).*

APPLICANT PRESENTATION

David Brehm (Plan West) gave part of the applicant's presentation.

- The applicant provided information on the amount of work that has gone into this project.
- The applicant provided information on the zoning of the property.
- The applicant discussed that the roadway will be dedicated to the Town.

- The applicant stated that the project was started because the Town desired to build a road through the middle of Flat Acres which benefits the Town and Flat Acres ownership.

The applicant, Mike Smith, who lives on and owns the Flat Acre Farm, gave his part of the presentation.

- The applicant provided history and background information on the property.
- The applicant provided a history of the project dating back to 2007 and that the project got moving finally in 2018.
- The applicant provided information on the project's benefits to the Town, for himself and his family.

PUBLIC COMMENT

None.

PUBLIC HEARING CLOSED: 8:35 P.M. – POPE PROPERTY – ZONING

Planning Commissioner Discussion

- Commissioner Ruth Ann Nelson said she is in support of the zoning, that this project has been discussed since she joined the Planning Commission, is glad to see that the property owner's and the Town have worked this out, that it should work out well for the Town providing areas for retail and is glad to see that pumpkin patch, corn maze and other agritainment activities will stay which have been a fun part of Parker for so long.
- Commissioner Erik Rieger is in support as well, appreciates the added commercial space and the new road connection and appreciates maintaining the historical agriculture piece as well.
- Commissioner Leland Sloan is looking forward to the road extension, the different jobs that will result from the added retail to the area and is sorry about the fire that occurred on the property a few years ago.
- Commissioner Jane Lane agrees with her fellow commissioners, is in support of the zoning and commends Parker staff, the property owners and Douglas County for coming to an agreement that is mutually beneficial to all parties.
- Commissioner Gary Poole echoed his fellow commissioners' thoughts and is glad to see this project finally come to fruition and has been serving on the Planning Commission for 10 years and this project has been rumored and discussed off and on during that time.

Commissioner Ruth Ann Nelson moved the Planning Commission recommend Town Council approve the Pope Property Zoning of approximately 9.2 acres to Open Space. Commissioner Jane Lane seconded; a vote was taken and was passed unanimously.

Commissioner Ruth Ann Nelson moved the Planning Commission recommend Town Council approve the Pope Property Zoning of approximately 11.791 acres to Agricultural. Commissioner Eliana Burke seconded; a vote was taken and was passed unanimously.

Commissioner Ruth Ann Nelson moved the Planning Commission recommend Town Council approve the Pope Property Zoning of approximately 17.484 acres to Greater Downtown District Market Center. Commissioner Jane Lane seconded; a vote was taken and was passed unanimously.

PLANNING COMMISSION ITEMS

None

STAFF ITEMS

Bryce Matthews noted that the 2024 Planning Commission meeting schedule was included in the Commissioners packet and asked for a motion to adopt the schedule.

Commissioner Eliana Burke moved the Planning Commission accept and approve the 2024 Planning Commission Schedule. Commissioner Jane Lane seconded; a vote was taken and was passed unanimously.

ADJOURNMENT

Commissioner Eliana Burke 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
Chairman



Planning Commission Staff Report

Planning Commission Date: 1/11/2024

Town Council Date: 2/5/2024

Hearing Type: Public Hearing
Harding Heights –
1. Parker Downs Filing No. 3 Lots 1 and 2 Rezone to Commercial
2. McClintock II Lot 1 Rezone to Commercial
3. Use by Special Review
4. Minor Development Plat
TRAKiT Nos: Z20-016, Z20-021, SUB20-031

Location: Southwest corner of Parker Road and Longs Way

Project Planner: Ashely Chasez, Planner I

Applicant: Coy Williams, Kimley Horn

Executive Summary: The applicant, Kimley Horn, is proposing three land use applications to accommodate a gas station with two additional commercial vacant parcels:
1. Rezone of 2.01 acres from Moran PD to C-Commercial and 1.94 acres from Modified Commercial to C-Commercial, this rezone will ensure the entire 6 acre development is the same zoning of C-Commercial
2. Use by Special Review to allow for a convenience store with gasoline pumps on the lot located at the southeast corner of Parker Road and Longs Way.
3. Minor Development Plat to subdivide 6 acres into three commercial lots to be known as Harding Heights.

Staff Recommendation: Approval

RECOMMENDED MOTION

1. ***"I move the Planning Commission recommend Town Council approve the zoning request for Parker Downs Filing No. 3 Lots 1 and 2."***
2. ***"I move the Planning Commission recommend Town Council approve the zoning request for a portion of McClintock Lot 1."***

3. ***“I move the Planning Commission recommend Town Council approve the Use by Special Review, subject to the following condition:”***
 - *That the Use by Special Review materials submitted to the Community Development Department on December 09, 2020, shall be the approved Use by Special Review materials.*
4. ***“I move the Planning Commission recommend Town Council approve the Minor Development Plat.”***

ALTERNATIVE MOTIONS

Zoning Request for Parker Downs

1. ***“I move the Planning Commission recommend Town Council approve the zoning request for Parker Downs Filing No. 3 Lots 1 and 2, subject to the following conditions:”***
 - *List proposed conditions*
2. ***“I move the Planning Commission recommend Town Council deny the zoning request for Parker Downs Filing No. 3 Lots 1 and 2 as the request does not meet the following approval criteria:”***
 - *List criteria not met (either by staff or Planning Commission)*
3. ***“I move the Planning Commission vote to continue the zoning request for Parker Downs Filing No. 3 Lots 1 and 2 to a future date.”***

Zoning Request for McClintock II

1. ***“I move the Planning Commission recommend Town Council approve the zoning request, for a portion of McClintock Lot 1 subject to the following conditions:”***
 - *List proposed conditions*
2. ***“I move the Planning Commission recommend Town Council deny the zoning request for a portion of McClintock Lot 1 as the request does not meet the following approval criteria:”***
 - *List criteria not met (either by staff or Planning Commission)*
3. ***“I move the Planning Commission vote to continue the zoning request for a portion of McClintock Lot 1 to a future date.”***

Use by Special Review

1. ***“I move the Planning Commission recommend Town Council approve the Use by Special Review”***
2. ***“I move the Planning Commission recommend Town Council deny the Use by Special Review as the request does not meet the following approval criteria:”***
 - *List criteria not met (either by staff or Planning Commission)*
3. ***“I move the Planning Commission vote to continue the Use by Special Review to a future date.”***

Minor Development Plat

1. *"I move the Planning Commission recommend Town Council approve the Minor Development Plat, subject to the following conditions:"*
 - *List proposed conditions*
2. *"I move the Planning Commission recommend Town Council deny the Minor Development Plat as the request does not meet the following approval criteria:"*
 - *List criteria not met (either by staff or Planning Commission)*
3. *"I move the Planning Commission vote to continue the Minor Development Plat to a future date."*

I. BACKGROUND/DISCUSSION

The applicant has submitted three (3) applications for the subject properties located at the southwest corner of Parker Road and Longs Way. Currently, the subject parcels are vacant with the exception of an existing unused lumber yard buildings on a portion of one lot. The property on the corner of Parker Road and Longs Way is currently used by a food truck.

Zoning Requests

The first application is to request a zone change for the subject property. The 6.169 acre parcel currently has 3 zonings, Moran PD, Modified Commercial and C-Commercial. The purpose of the rezonings is to make the entire property have the same zoning C-Commercial. Having one zone district for the development will create consistency in allowed uses and standards, ease of administration and will be more understandable for property owners. All rezone proposals must meet the nine approval criteria set forth in the Land Development Ordinance (LDO) as outlined in Section VII of this staff report.

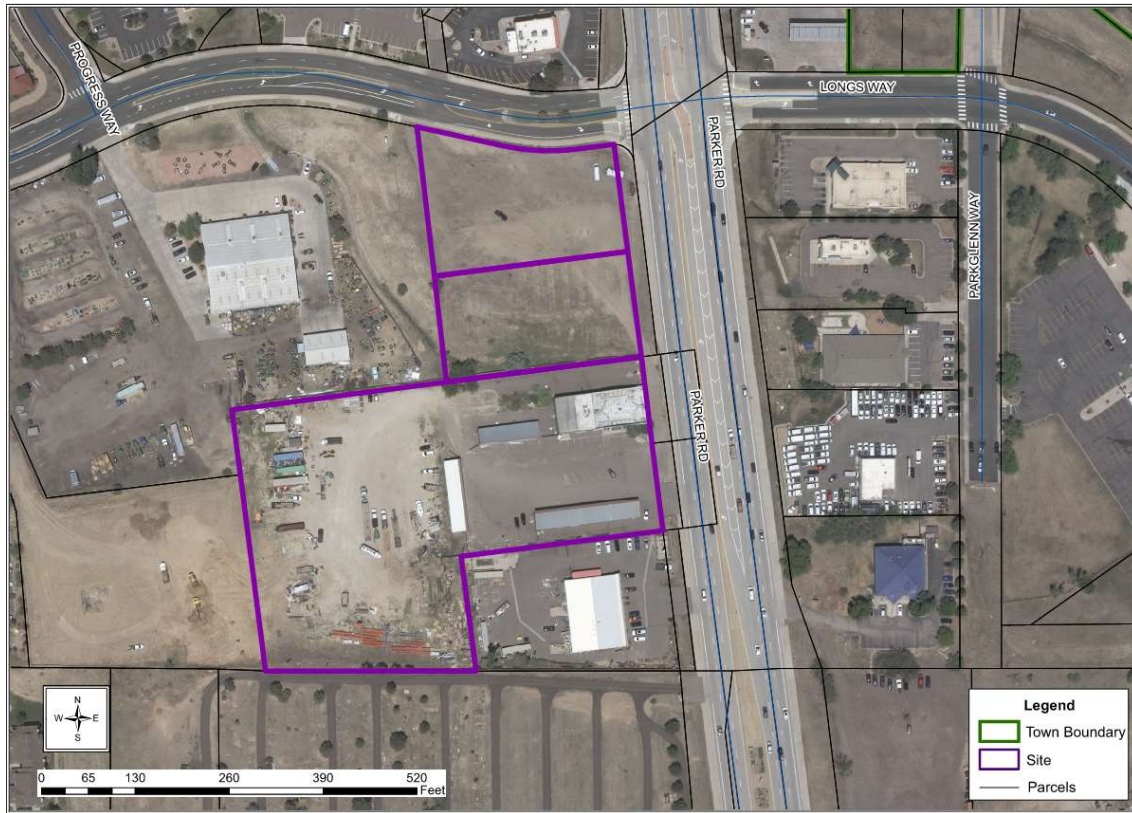
Use by Special Review for Convenience Store with Gasoline Pumps

The second application is a Use by Special Review to allow for a gas station on the property. The proposed C-Commercial zoning within the Town lists a 'Convenience Store with Gasoline Pumps' as a use permitted by special review. The applicant is proposing to construct a 5,312 square foot convenience store with gasoline pumps at the southeast corner of Parker Road and Longs Way. The proposed zoning establishes uses that are permitted by right, those permitted by special review and those not listed are prohibited. Uses by Special Review are established in zone districts when a proposed use may present external impacts that require additional review beyond those uses that are considered uses by right within a zone district. The request for a Use by Special Review is a discretionary request made by a private property owner or applicant. The Use by Special Review is to determine whether the requested use meets or can meet, subject to conditions, the nine approval criteria set forth in the LDO and outlined in Section VIII of this staff report.

Minor Development Plat

The third application is a Minor Development Plat to subdivide the subject property into three commercial parcels that can be accessed from a private drive connecting Parker Road and Longs Way. The considerations for a Minor Development Plat are consistency with the Master Plan, LDO, and the property's zoning as well as dependent on meeting public notice requirements.

VICINITY MAP



PRIOR ACTIONS

Date	Action
1982	Annexed into the Town and zoned Moran PD.
1991	McClintock II Plat Approved
1992	Parker Downs Filing No. 3 Plat Approved
1992	Parker Downs Filing No. 3 Lots 1 and 2 zoned to Modified Commercial.

II. CURRENT SITE DATA

Existing Zoning	C - Commercial District, Moran PD and Modified Commercial		
Overlay District	N/A		
PD & Plan Area	Commercial		
Master Plan Area	Central Commercial		
Site Acreage	6.169 Acres		
Subdivision	Parker Downs Filing No. 3 and McClintock II		
Existing Use	Commercial and Vacant		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Central Commercial & Light Industrial	C - Commercial District	Commercial and Light Industrial

South	Downtown Core	C - Commercial District & Public Facilities	Cemetery and Commercial
East	Downtown Core	C - Commercial District	Commercial
West	Central Commercial & Light Industrial	C - Commercial District & Light Industrial	Light Industrial

III. PARKER 2035 MASTER PLAN

[Parker 2035 Master Plan | Town of Parker - Official Website](#)

MASTER PLAN CONSISTENCY	
Master Plan Designation	Central Commercial ☒ Consistent ☐ Inconsistent
Master Plan Character Discussion	Central Commercial District: The Central Commercial District encompasses the commercial core of the Town. Due to its central location, with access to Parker Road, Dransfeldt Road and Twenty Mile Road and current land uses, growth in this Character Area should focus on core retail, services, offices, lodging, restaurants, entertainment and, to a lesser extent, higher density residential uses as part of a development with a mix of uses and a design that focuses on vehicular and pedestrian connectivity between uses. Vertical mixed use is highly encouraged where appropriate.
Consistent Goals/Strategies	<u>Land Use 1.C</u> <u>Land Use 1.E</u> <u>Jobs and Economic Vitality 2.A</u> <u>Jobs and Economic Vitality 2.B</u> <u>Jobs and Economic Vitality 2.E</u>
Staff Analysis	The subject property is located at the Southwest corner of Parker Road and Longs Way and is within the Central Commercial Character Area designated by the Parker 2035 Master Plan. This area is intended to provide commercial uses which focus on retail, services, lodging, restaurants, and entertainment. The proposed zoning aligns with the Master Plan. The proposed use, convenience store with gas pumps, in the Use by Special Review aligns with the Master Plan by providing a supporting commercial use and service to the area. The Minor Development Plat aligns with the Master Plan by creating vehicular and pedestrian access to underutilized commercial properties in the Central Commercial planning area and creating lots laid out to support commercial development.

	Based on this analysis, staff has determined that the request is consistent with the Parker 2035 Master Plan.
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IV. OTHER MASTER PLANNING DOCUMENTS

OTHER PLANNING DOCUMENTS CONSISTENCY	
Other Planning Documents	Parker Road Corridor Plan
Consistency Review	☒ Consistent ☐ Inconsistent ☐ N/A
Staff Analysis	The Parker Road Corridor Plan is a document that functions as a roadmap that coordinates both the Town's and CDOT's policies and programming for future land development and transportation investments. This Plan was created to aid Town staff with difficult zoning challenges, guide the creation of new development standards as well as assist other land use goals. Within the land use chapter of the Plan, it is stated that the future land goals for the corridor are commercial in nature rather than the current suburban character. One of the key takeaways of the Parker Road Corridor is to encourage commercial nodes along Parker Road. Another key takeaway from the Parker Road Corridor Plan is to encourage shared access points for developments with the aim of reducing access points along Parker Road. Based on this analysis, staff has determined that the request is consistent with the Parker Road Corridor Plan.

V. LAND DEVELOPMENT ORDINANCE

ZONING CONSISTENCY (Site Plan/UBSR/Sketch/Prelim Plan/MDP)			
Provisions	Existing/Required	Proposed	Analysis
Setbacks	Front – 40 ft Side – None, except when adjacent to a residential zone Rear – 25ft	Setbacks will be reviewed at the time of a site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Density	N/A	The request is for commercial development.	☐ Consistent ☐ Inconsistent ☒ N/A

Height/Stories	35ft	Building height will be reviewed at the time of a site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Lot Size	Width: 75ft.	Width: 75ft	☒ Consistent ☐ Inconsistent ☐ N/A
Lot Coverage	None.	Compliance for lot coverage is reviewed at the time of site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Landscaping	Title 13.06.070	Compliance for landscape requirements is reviewed at the time of site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Off-Street Parking	Title 13.06.050	Compliance for parking is reviewed at the time of site plan application.	☐ Consistent ☐ Inconsistent ☒ N/A
Staff Analysis	The specific details related to the development of the property are not a part of the Use by Special Review but are being reviewed as a part of the concurrent administrative site plan review. A site plan for the proposed gas station cannot be approved unless the Use by Special Review is approved. The proposed site is large enough and is regular shaped as to allow for a convenience store with gas to be constructed that meets the zoning and Development Design Standards requirements.		

DEVELOPMENT POTENTIAL (Rezoning)			
Provisions	As recommended by the Master Plan	Proposed	Analysis
Units Per Acre	N/A	N/A. The proposed zoning is for commercial uses that do not allow for single-family or multiple-family residential.	☐ Consistent ☐ Inconsistent ☐ No Change ☒ N/A
Allowed Uses	Commercial	Commercial	☐ Consistent ☐ Inconsistent ☒ No Change
Height/Stories	None	35ft	☒ Consistent ☐ Inconsistent ☐ No Change
Staff Analysis	As detailed in the analysis above, the requested zoning is consistent with the Parker 2035 Master Plan for the allowed uses and the requested height maximum for buildings.		

	Based on this analysis, staff has determined that the request is consistent with the Parker 2035 Master Plan.
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VI. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

The applicant is proposing access to their property from both Parker Road and Longs Way along a private internal road. The access on Parker Road is a right in/ right out and a full movement access is on Longs Way. The internal drive that will provide access to all three proposed parcels, which supports the Town’s goal of reducing the number of access points along Parker Road as outlined in the Parker Road Corridor Plan. The proposed project will provide sidewalks along the private drive and sidewalk improvements along Parker Road which will ensure pedestrian accessibility when the property further develops.

VII. APPROVAL CRITERIA ZONING

Title 13.04.240.f. Approval Considerations for Rezoning Requests:

1. A need exists for the proposal.

Applicant Response:

The current Site area is made up of three different zoning designations. Consistent with coordination with the Town, it is understood that the entire site should be rezoned to be consistent designation for the new Harding Heights Subdivision. The proposed use on Lot 1, convenience store with fuel sales, is a use permitted by special review under the current zoning of the property and will remain a use permitted by special review under the proposed zoning of the property. For the majority of the property, the allowed uses are not changing; however, per Town requirements the entire property will need to be rezoned to a consistent zoning since it is being re-platted.

Staff Analysis:

Currently, the property in question consists of three different zonings classifications and included in one Master Plan Character Area, the Central Commercial Character Area. The proposed rezone application is needed to provide consistent zoning within the project area, replace the out-of-date Moran PD zoning and to align the zoning with the Master Plan. Having a single zone district for the development will create consistency in allowed uses and standards, ease of administration and will be more understandable for property owners.

Based on this analysis, staff has determined that this criterion has been met.

2. The particular parcel of ground is indeed the correct site for the proposed development.

Applicant Response:

As shown in Figure 6B in the Town of Parker 2035 Master Plan – Updated December 3, 2018 (the “Master Plan”), the property is located within the Central Commercial Character Area. Central Commercial District is described in the Master Plan as an area that “should focus on core retail, services, offices, lodging, restaurants, entertainment and, to a lesser extent, higher density residential uses as part of a development with a mix of uses and a design that focuses on vehicular and pedestrian connectivity between uses.” The proposed zoning, Commercial, is consistent with the Master Plan as it allows

uses generally consisting of core retail, offices, lodging, restaurants, and entertainment. The proposed development, convenience store with fuel sales, is compatible with the Central Commercial District Character Area as it will provide the Town of Parker residents with access to core retail as well as quick-service restaurant amenities.

Staff Analysis:

The subject property is located within the Central Commercial area as designated by the Parker 2035 General Land Use Plan, which is planned to provide commercial uses for the Town. The property is located along Parker Road, a major thoroughfare, and properties to the north and south are zoned and used for commercial uses. The commercial zoning and uses are compatible with the surrounding area.

Based on this analysis, staff has determined that this criterion has been met.

3. There has been an error in the original zoning; or
N/A
4. There have been significant changes in the area to warrant a zone change.

Applicant Response:

No significant changes have occurred to warrant this proposed zone change. The change is intended to establish consistent zoning in this area consistent with the Master Plan

Staff Analysis:

The original zonings for these properties were established in 1982 and 1992. Since this time, Parker Road has been widened and significant growth has occurred in the community. While the zoning and lot layout were appropriate 30+ years ago; the land uses, lot layout and access requirements from Parker Road have changed significantly over that time frame. This zoning is necessary to respond to these changes and to create a consistent zoning in the development.

Based on this analysis, staff has determined that this criterion has been met.

5. Adequate circulation exists and traffic movement would not be impeded by development; and

Applicant Response:

The proposed development, and future development, is proposed to be accessed via a right-in/right-out access onto Parker Road and a full movement access onto Longs Way. Internal circulation will be provided via private on-site access roads serving all three lots. For the purposes of the Traffic Study, the future development is assumed to include 14,000 square feet of retail, 5,400 square feet of fast-casual restaurants, a 4,200 square foot fast food restaurant with drive through, and a 16-fueling position gas station with a 4,995 square foot convenience market (Lot 1 Development). As part of the project, a shared right turn lane/acceleration lane will be installed along the property frontage to serve the project. At the time the property to the south of the project develops, it is understood that the acceleration lane will be extended. A design waiver

has been reviewed and approved by CDOT for this configuration and will be designed to CDOT standard by the southern property owner. Due to the Traffic Counts being collected during the COVID-19 Pandemic, the counts were adjusted based off 2017 counts from the Parker Road Corridor Plan completed by Kimley-Horn. The 2017 counts from the Parker Road Corridor Plan were grown to existing year 2020 by using a 1.50 percent annual growth rate. With the proposed project traffic, all movements at all of the project accesses are expected to operate acceptably during the peak hours throughout the 2023 horizon, therefore, based on the analysis of the Traffic Study, it is believed that the project and adjacent development area will be successfully incorporated into the existing roadway network.

Staff Analysis:

The subject property is located at the corner of Parker Road and Longs Way which will provide access to the site. The proposed rezone will align with the Master Plan and the land uses will remain commercial in character, which will not create a notable change in potential traffic impacts.

Additionally at the time of development, the applicant will be required to construct any additional auxiliary lanes necessary for their development as identified within the traffic study for the property and create cross access easements to ensure adequate circulation.

Based on this analysis, staff has determined that this criterion has been met.

6. Additional municipal service costs will not be incurred which the Town is not prepared to meet.

Applicant Response:

Parker Water and Sanitation District (PWSD) has confirmed that existing infrastructure has capacity to serve the proposed development and to our knowledge, no additional municipal costs will be incurred with the project.

Staff Analysis:

Any construction on the subject properties will be considered private and will be privately maintained.

As evidenced by the inclusion of the subject property in the Town's Center Commercial Character Area, the Town is prepared to meet any additional municipal service costs associated with the uses on the subject property.

Based on this analysis, staff has determined that this criterion has been met.

7. There are minimal environmental impacts or impacts that can be mitigated.

Applicant Response:

To our knowledge, environmental impacts with the proposed zone change will be minimal, as the current and proposed zoning allowing for the same general uses. With the current development, convenience stores with fuel sales, a number of protections

are put in place on site in order to mitigate environmental impacts to the extent practicable. All inlets are equipped with a BMP Snout Device which, in the event of a fuel spill, will help to capture any fuel on-site prior to any spill being discharged into downstream infrastructure. The fuel canopy is graded to ensure that all drainage, including fuel in the event of a spill, is routed to an on-site inlet equipped with a BMP Snout Device. There are multiple emergency shut off switches located in the canopy area to minimize fuel discharged in the event of a spill. All underground storage tanks (USTs) and fuel lines to the dispensers are equipped with state-of-the-art leak detection which will alert the store in the event of detection of fuel leakage.

Staff Analysis:

The subject property is surrounded by urbanized areas and will be required to meet all Town environmental standards as set forth in the Land Development Ordinance, such review will occur during the subdivision and Site Plan processes. As a part of this review, site improvements will be required to be designed to ensure that any environmental impacts are mitigated.

Based on this analysis, staff has determined that this criterion has been met.

8. The proposal is consistent with the Town Master Plan, maps, goals, and policies.

Applicant Response:

As shown in Figure 6B in the Town of Parker 2035 Master Plan – Updated December 3, 2018 (the “Master Plan”), the property is located within the Central Commercial Character Area. Central Commercial District is described in the Master Plan as an area that “should focus on core retail, services, offices, lodging, restaurants, entertainment and, to a lesser extent, higher density residential uses as part of a development with a mix of uses and a design that focuses on vehicular and pedestrian connectivity between uses.” The proposed zoning, Commercial, is consistent with the Master Plan as it allows uses generally consisting of core retail, offices, lodging, restaurants, and entertainment. The proposed development, convenience store with fuel sales, is compatible with the Central Commercial District Character Area as it will provide the Town of Parker residents with access to core retail as well as quick-service restaurant amenities.

Staff Analysis:

As detailed in Section IV. of this staff report, the proposed zoning of the property to C-Commercial is consistent with the Parker 2035 Master Plan designation as Central Commercial.

Based on this analysis, staff has determined that this criterion has been met.

9. There is adequate waste and sewage disposal water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.

Applicant Response:

To our knowledge, and per coordination with Parker Water and Sanitation District, the adjacent water and sanitary sewer mains have capacity to serve the Site. The proposed zone change will have minimal impact to the overall density of the area.

Staff Analysis:

The property is surrounded by existing commercial uses located within the commercial core of the Town. As a part of the review of this proposal, referrals were sent to the appropriate service providers and departments within the Town, these referrals agencies responded with no concerns regarding the provision of required services. Adequate services are located within the area and will be available to the property at the time of development.

Based on this analysis, staff has determined that this criterion has been met.

VIII. APPROVAL CRITERIA USE BY SPECIAL REVIEW

Title 13.04.200.b. Criteria for approval for Uses Permitted by Special Review:

1. Will be in harmony and compatible with the character of the surrounding areas and neighborhoods.

Applicant Response:

The proposed development is compatible and consistent with the large amount of commercial and light industrial uses in the area on Parker Road. The convenience store will offer the surrounding neighborhoods a new option for high quality to-go food as the store is equipped with a full-service kitchen preparing grab and-go meals, coffee, and drinks.

Staff Analysis:

The subject property is located within the Central Commercial Area as identified within the Parker 2035 Master Plan. The site is located next to Parker Road, a State Highway and the area surrounding the site currently consists of commercial uses which are compatible with a gas station use. To the north of the proposed site is Longs Way and a drive-through restaurant, to the west is an equipment rental business and to the south are future vacant commercial properties to be developed with this project. The addition of a gas station would add to the mix of uses in the area, serve the traveling public and is not located near any residential uses.

The applicant has submitted a Site Plan application for the proposed gas station that staff is reviewing it administratively.

Therefore, staff has determined that this criterion can be satisfied.

2. Will be consistent with the Town Master Plan.

Applicant Response:

Per the 2035 Parker Master Plan, the site is located in the Central Commercial Character Area of the General Land Use Plan. Consistent with the Central

Commercial District definition, the proposed development will provide a core service of a refueling station as well as a convenience store to the Town residents and travelers through the Town

Staff Analysis:

As detailed in Section IV. of this staff report, the property is located within the Central Commercial Character Area of the Parker 2035 Master Plan. Uses proposed within the Central Commercial Area should focus on core retail, services, offices, lodging, restaurants, and entertainment. The proposed gas station use is defined as a service which is a use contemplated by the Master Plan.

Therefore, staff has determined that this criterion can be satisfied.

3. Will not result in an over-intensive use of land.

Applicant Response:

In the existing condition, the site is either undeveloped or vacant buildings with little to no vegetation. The convenience store development is proposed to have ample parking and provides 1.6 times the required landscape area, significantly enhancing the overall site. The proposed development also consists of two pedestrian plaza areas with enhanced landscaping and benches.

Staff Analysis:

The proposed gas station will be located on the northernmost lot of the property at the corner of Parker Road and Longs Way with the remainder of the 6.169 acres being developed as commercial lots for future development. All requirements of the Land Development Ordinance as it relates to setbacks, landscaping, parking, drainage, and architecture will be reviewed and required to be satisfied prior to construction through the Site Plan process.

Therefore, staff has determined that this criterion can be satisfied.

4. Will not have a material adverse effect on community capital improvement programs.

Applicant Response:

The proposed development is anticipated to be all privately funded. The site is currently vacant undeveloped land. With this proposed development the Town will receive significant tax increases from the fuel and convenience store item sales. As part of this project, a new acceleration/deceleration lane and protected crosswalk on Parker Road will be constructed. The improvements to Parker Road will be privately funded and will add additional safety for the community.

Staff Analysis:

It is anticipated that the existing roadway network around the subject property will be able to handle the additional traffic generated by the gas station use at this location subject to the provision of access easements between and through the adjoining properties as proposed in the Minor Development Plat. The applicant will be required

to construct an additional right-turn lane along Parker Road as identified within the traffic study.

Therefore, staff has determined that this criterion can be satisfied.

5. Will not require a level of community facilities and services greater than that which is available.

Applicant Response:

The site utility and stormwater analysis confirm that the existing infrastructure include stormwater detention, sanitary sewer, roadway infrastructure, and domestic water services are adequate to serve the project site.

Staff Analysis:

The applicant's request will not require a level of community facilities and services greater than that which is available.

Therefore, staff has determined that this criterion can be satisfied.

6. Will not result in undue traffic congestion or traffic hazards.

Applicant Response:

In preparation for this project, a Traffic Study was completed by KimleyHorn and Associates in June 2020 (due to the COVID-19 Pandemic, these counts were adjusted based off 2017 counts from the Parker Road Corridor Plan completed by Kimley-Horn). This Traffic Study outlines not only the proposed Special Use development, but also the other two lots located within the subdivision (30,000 SF of retail, 6,600 SF of fast-casual restaurant, 16 fueling position gas station with 4,995 SF convenience store). Direct access to the project is proposed from one full movement access on Longs Way and one existing right-in/right-out on Parker Road. As the traffic study notes, while the development will increase traffic counts, at full buildout of all three lots, all access points and roads will still function properly without any additional infrastructure. With the addition of the project, all intersections are expected to operate acceptably during both the AM Peak Hour and the PM Peak Hour.

Staff Analysis:

The existing roadway network around the site provides adequate infrastructure to support the development of this site. The proposed gas station will be located at the intersection of a regional State highway (Parker Road) and a collector roadway (Longs Way). The applicant will be required to construct a new full movement access on Longs Way along with a right-turn lane on Parker Road and a private road connecting the access points as a part of the Minor Development Plat.

Therefore, staff has determined that this criterion can be satisfied.

7. Will not cause significant air, water, or noise pollution.

Applicant Response:

The convenience store will have food/store deliveries as needed on a Monday through Friday daytime delivery schedule. Fuel delivery will occur as needed based on sales as replenishment is needed, these deliveries happen prior to morning rush and after evening rush whenever possible to limit the possible vehicle congestion on the site. Even with these deliveries and other customer trips to the convenience store, a large amount of noise will not be generated. Due to the immediate vicinity to Parker Road, any noise generated from the project will likely be insignificant relative to the road noise generated by vehicles traveling on the state highway Parker Road. The Briargate on Main Apartment Homes are the closest residential use to the project, located approximately 700 feet southwest of the site. All properties between the project and the residential development are zoned for commercial use. With the significant spacing and other industrial uses in between the properties, this project is not anticipated to have any noticeable noise impact to Town residents.

Staff Analysis:

The applicant will be required to meet all state and federal requirements for the installation of the underground gas tanks along with annual monitoring of the ground water and soils.

Therefore, staff has determined that this criterion can be satisfied.

8. Will be adequately landscaped, buffered, and screened.

Applicant Response:

The convenience store development is proposed to have ample parking (50 spaces provided with 20 spaces required) while still providing more than the required landscape area (0.32 acres required with 0.55 acres provided). The proposed development also consists of two separate pedestrian plaza areas with enhanced landscaping and benches. All buffering/yard requirements outlined in the code are sufficiently provided along the proposed parking and property lines around the site.

Staff Analysis:

A detailed Site Plan has been submitted for the application in order to evaluate the development requirements for the subject property. All landscape and design standards outlined in the Land Development Ordinance and the Development Design Standards will be required to be met prior to approval of the Site Plan.

Therefore, staff has determined that this criterion can be satisfied.

9. Will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of the Town.

Applicant Response:

The proposed project will not be detrimental to the health, safety, or welfare of the present or future inhabitants of the Town. The project will add more options to the residents for refueling as well as quick-serve food options.

Staff Analysis:

The request will not be detrimental to the health, safety, or welfare of current or future Parker residents. The property, subject to approval of the zoning request before you tonight, will be zoned for commercial uses and the portion of the property not subject to the use by special review request, will be developed with compatible commercial uses. The proposed gas station will be required to meet all Town, State and Federal regulations and guidelines. In addition, the applicant will be required to meet all requirements for site layout, landscaping, parking, lighting, drainage, and circulation of the Town Land Development Ordinance.

Therefore, staff has determined that this criterion can be satisfied.

IX. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Rezone Comments	Use by Special Review Comments	Minor Development Plat Comments
Parker Engineering	Approved	Approved	Approved
South Metro Fire & Rescue Authority	No Comment	No Comment	No Comment
Parker Police	No Comment	No Comment	No Comment
Cherry Creek Basin Water Quality Authority	N/A	N/A	Advisory Comments - 1. The Authority's Control Regulation 72 requires construction and post-construction Best Management Practices (BMPs). 2. No exceptions taken to the proposed Post-Construction and Construction BMPs. 3. No further referrals to the authority on this project are required.
IREA	Approved	Approved	Approved
CenturyLink	Approved	No Comment	No Comment
E470 Highway Authority	N/A	N/A	N/A

X. CONCLUSION

The Rezone application cleans up inconsistent zoning for the development and gets rid of the outdated Moran PD on the site. The proposal has been determined to meet the zoning approval criteria of the Parker Land Development Ordinance and aligns with the Master Plan.

In addition, the proposed Use by Special Review to allow for a convenience store with gasoline pumps on the property will bring an added service to this area of Parker along the heavily traveled Parker Road. All local, State and Federal requirements for gas stations will

be required to be satisfied. The application has been determined to meet the Use by Special Review approval criteria of the Parker Land Development Ordinance

The Minor Development Plat redesigns the commercial lot layouts to meet current market requirements and creates a private access road to connect the lots and limit access onto Parker Road. The application has been determined to meet the requirements of the Land Development Ordinance for a Minor Development Plat

Based on the analysis contained in this staff report, staff recommends that Planning Commission recommends Town Council approve the rezoning, Use by Special Review and Minor Development Plat proposals.

XI. RECOMMENDED CONDITIONS

Staff recommends that the Planning Commission recommend that the Town Council approve the Parker Downs Filing No. 3 Lots 1 and 2 zoning to C-Commercial with no conditions.

Staff recommends that the Planning Commission recommend that the Town Council approve the McClintock II zoning to C-Commercial with no conditions.

Staff recommends that the Planning Commission recommend that the Town Council approve the Harding Heights Use by Special Review to allow a gas station, subject to the condition below:

1. That the Use by Special Review materials submitted to the Community Development Department on December 09, 2020 shall be the approved Use by Special Review materials.

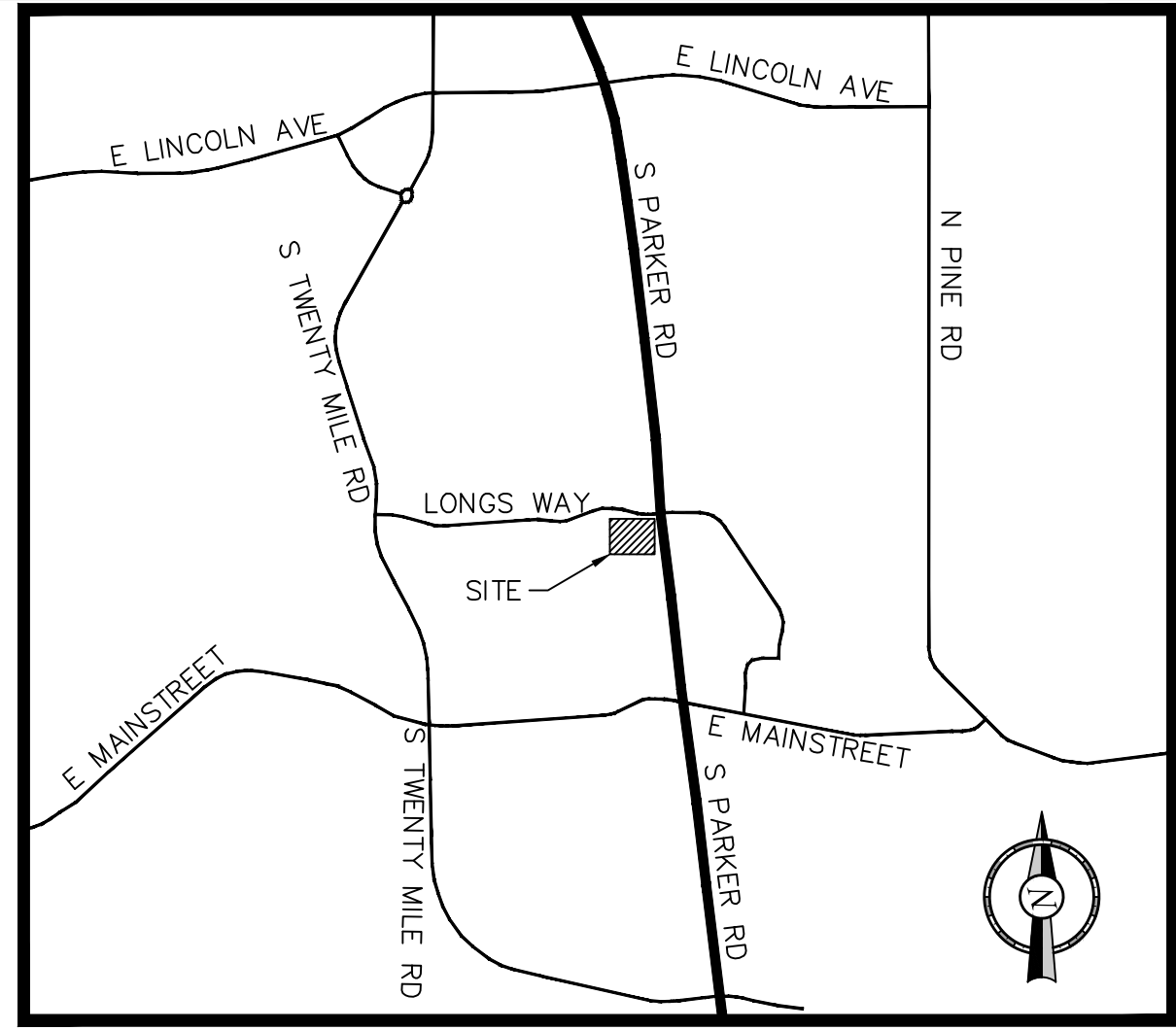
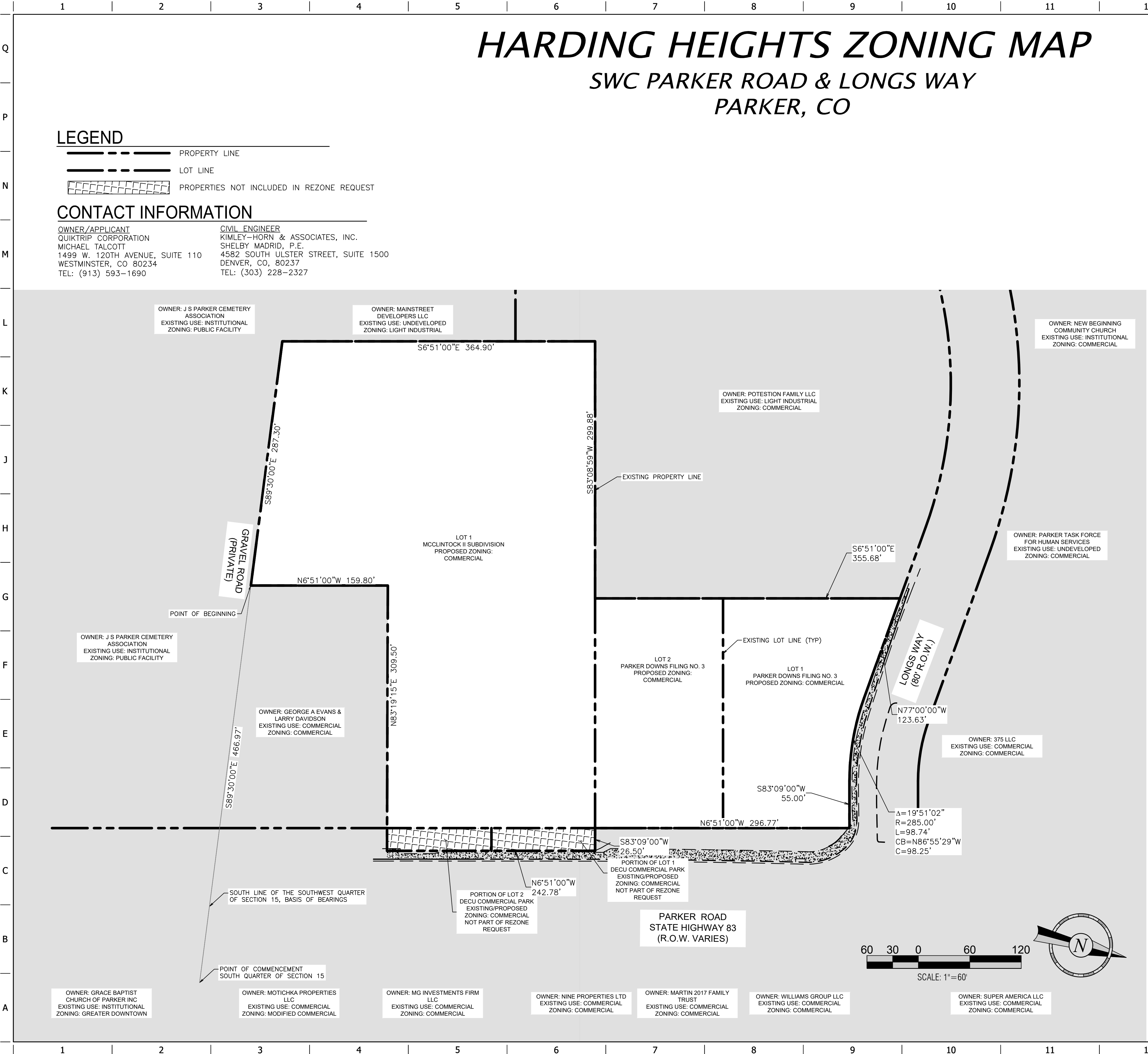
Staff recommends that the Planning Commission recommend that the Town Council approve the Harding Heights Minor Development Plat.

XII. ATTACHMENTS

1. Referral Agency Comments
2. Zoning Map
3. Gas Station Site Plan
4. Harding Heights Minor Development Plat

Report Approved By: Bryce Matthews, Assistant Director - Planning

FILE LOCATION\\DEN_Civil\\096888008_QuikTrip 4214 Parker\\CADD\\Exhibits\\Simplified Zoning Exhibit.dwg TAB NAME:Site USER:Coz.Williams SAVED:11/3/2022 11:01 AM PLOTTED:11/3/2022 11:45 AM



Vicinity Map
1" = 2000'

LEGAL DESCRIPTION

BEING A REPLAT OF LOTS 1 AND 2, PARKER DOWNS, FILING NO. 3, LOT 1, MCCLINTOCK II SUBDIVISION AND THOSE PORTIONS OF LOTS 1 AND 2, DECU COMMERCIAL PARK LYING BETWEEN THE EAST LINE OF MCCLINTOCK II SUBDIVISION AND THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 83, ALL IN THE SOUTHWEST ONE QUARTER OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, DOUGLAS COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 15 AND ASSUMING THE SOUTH LINE OF SAID SOUTHWEST ONE QUARTER OF SECTION 15 AS BEARING NORTH 89°30'00" WEST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO:

THENCE NORTH 89°30'00" WEST ALONG SAID SOUTH LINE A DISTANCE OF 466.97 FEET TO THE MOST SOUTHERLY CORNER OF LOT 1, MCCLINTOCK II SUBDIVISION AND THE POINT OF BEGINNING; THENCE ALONG THE SOUTH, WEST, AND NORTH LINES OF SAID LOT 1, THE FOLLOWING 3 COURSES:
1) NORTH 89°30'00" WEST, 287.30 FEET;
2) NORTH 06°51'00" WEST, 364.90 FEET;
3) NORTH 83°08'59" EAST, 299.88 FEET TO THE SOUTHWEST CORNER OF LOT 2, PARKER DOWNS FILING NO. 3, RECORDED AT RECEPTION NO. 9251062 IN THE OFFICE OF THE CLERK AND RECORDER OF DOUGLAS COUNTY, STATE OF COLORADO.

THENCE NORTH 06°51'00" WEST, ALONG THE WEST LINE OF SAID LOTS 2 AND 1, SAID PARKER DOWNS FILING NO. 3, A DISTANCE OF 355.68 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT ALSO BEING ALONG THE SOUTH RIGHT-OF-WAY LINE OF LONGS WAY, AN 80 FOOT PUBLIC RIGHT-OF-WAY; THENCE ALONG THE SOUTHERLY AND WESTERLY RIGHT-OF-WAY LINES OF SAID LONGS WAY AND S. PARKER ROAD, THE FOLLOWING 6 COURSES:
1) SOUTH 77°00'00" EAST, 123.63 FEET;
2) ALONG A CURVE HAVING A RADIUS OF 285.00 FEET, A DELTA OF 19°51'02" AND IS SUBTENDED BY A CHORD BEARING NORTH 86°55'29" WEST A DISTANCE OF 98.25 FEET TO THE END POINT OF SAID CURVE;
3) NORTH 83°09'00" EAST, 55.00 FEET, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF S. PARKER RD.
4) SOUTH 06°51'00" EAST, 296.77 FEET;
5) NORTH 83°09'00" EAST, 26.50 FEET;
6) SOUTH 06°51'00" EAST, 242.78 FEET;

THENCE SOUTH 83°19'15" WEST ALONG SAID WEST RIGHT-OF-WAY LINE AND ALONG THE NORTH LINE OF A TRACT OF LAND IN THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 15 RECORDED AT REC. NO. 0352998 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER, ALSO BEING THE SOUTH LINE OF SAID PORTION OF LOT 2, DECU COMMERCIAL PARK AND THE SOUTH LINE OF SAID LOT 1, MCCLINTOCK II SUBDIVISION, A DISTANCE OF 309.50 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTH 06°51'00" EAST ALONG THE WEST LINE OF SAID TRACT, ALSO BEING THE EAST LINE OF SAID LOT 1, MCCLINTOCK II SUBDIVISION A DISTANCE OF 159.80 FEET TO THE POINT OF BEGINNING, CONTAINING 268,710 SQ FT OR 6.169 ACRES, MORE OR LESS.

COUNTY OF DOUGLAS, STATE OF COLORADO.

ZONING TABLE

PARCEL, LOT NAME	EXISTING ZONING	PROPOSED ZONING
PARCEL I, LOT 1 PARKER DOWNS FILING NO. 3	MODIFIED COMMERCIAL	COMMERCIAL
PARCEL I, LOT 2 PARKER DOWNS FILING NO. 3	MODIFIED COMMERCIAL	COMMERCIAL
PARCEL II, LOT 1 MCCLINTOCK II SUBDIVISION	PLANNED DEVELOPMENT	COMMERCIAL
PARCEL III, PORTION OF LOT 1 DECU COMMERCIAL PARK	COMMERCIAL	COMMERCIAL
PARCEL III, PORTION OF LOT 2 DECU COMMERCIAL PARK	COMMERCIAL	COMMERCIAL

PROJECT NO.:096888008

Kimley»Horn

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QuikTrip No. 4214

SWC PARKER RD & LONGS WAY
PARKER, CO, 80134

QT

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PROTOTYPE: P-108 (08/01/21)
DIVISION: COLORADO
VERSION: 001
DESIGNED BY: SAM
DRAWN BY: CMW
REVIEWED BY: SAM

REV	DATE	DESCRIPTION

ORIGINAL ISSUE DATE: 06/25/2021

SHEET TITLE:
SIMPLIFIED REZONING MAP
EXHIBIT

SHEET NUMBER:

EXHIBIT B

HARDING HEIGHTS FILING NO. 1

MINOR DEVELOPMENT PLAT

A REPLAT OF LOTS 1 AND 2, PARKER DOWNS, FILING NO. 3, LOT 1, MCCLINTOCK II SUBDIVISION AND THOSE PORTIONS OF LOTS 1 AND 2, DECU COMMERCIAL PARK LYING BETWEEN THE EAST LINE OF MCCLINTOCK II SUBDIVISION AND THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 83, LYING WITHIN A PORTION OF THE SOUTHWEST 1/4 OF THE SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

3 LOTS, 6.169 ACRES/268,710 SQUARE FEET±

LEGAL DESCRIPTION

BEING A REPLAT OF LOTS 1 AND 2, PARKER DOWNS, FILING NO. 3, LOT 1, MCCLINTOCK II SUBDIVISION AND THOSE PORTIONS OF LOTS 1 AND 2, DECU COMMERCIAL PARK LYING BETWEEN THE EAST LINE OF MCCLINTOCK II SUBDIVISION AND THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 83, ALL IN THE SOUTHWEST ONE QUARTER OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, DOUGLAS COUNTY, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 15, THE SOUTH LINE OF SAID SOUTHWEST ONE QUARTER OF SECTION 15 BEARING NORTH 89°30'00" WEST, AS SHOWN ON THE MCCLINTOCK II SUBDIVISION RECORDED AT REC. NO. 9128358 AND PARKER DOWNS FILING NO. 3 RECORDED AT REC. NO. 9251062, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO:

THENCE NORTH 89°30'00" WEST ALONG SAID SOUTH LINE A DISTANCE OF 466.97 FEET TO THE MOST SOUTHEASTERLY CORNER OF LOT 1, MCCLINTOCK II SUBDIVISION AND THE POINT OF BEGINNING; THENCE ALONG THE SOUTH, WEST, AND NORTH LINES OF SAID LOT 1, THE FOLLOWING 3 COURSES:

- 1) NORTH 89°30'00" WEST, 287.30 FEET;
- 2) NORTH 06°51'00" WEST, 364.90 FEET;
- 3) NORTH 83°08'59" EAST, 299.88 FEET TO THE SOUTHWEST CORNER OF LOT 2, PARKER DOWNS FILING NO. 3, RECORDED AT RECEPTION NO. 9251062 IN THE OFFICE OF THE CLERK AND RECORDER OF DOUGLAS COUNTY, STATE OF COLORADO.

THENCE NORTH 06°51'00" WEST, ALONG THE WEST LINE OF SAID LOTS 2 AND 1, SAID PARKER DOWNS FILING NO. 3, A DISTANCE OF 355.68 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT ALSO BEING ALONG THE SOUTH RIGHT-OF-WAY LINE OF LONGS WAY, AN 80 FOOT PUBLIC RIGHT-OF-WAY; THENCE ALONG THE SOUTHERLY AND WESTERLY RIGHT-OF-WAY LINES OF SAID LONGS WAY AND S. PARKER ROAD, THE FOLLOWING 6 COURSES:

- 1) SOUTH 77°00'00" EAST, 123.63 FEET;
- 2) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 285.00 FEET, A DELTA OF 19°51'02" AND IS SUBTENDED BY A CHORD BEARING SOUTH 86°55'29" EAST A DISTANCE OF 98.25 FEET TO THE END POINT OF SAID CURVE AND A POINT OF TANGENCY;
- 3) NORTH 83°09'00" EAST, 55.00 FEET, TO A POINT BEING ALONG THE WEST RIGHT-OF-WAY LINE OF S. PARKER RD.
- 4) SOUTH 06°51'00" EAST, 296.77 FEET;
- 5) NORTH 83°09'00" EAST, 26.50 FEET;
- 6) SOUTH 06°51'00" EAST, 242.78 FEET;

THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE OF SOUTH PARKER ROAD, SOUTH 83°19'15" WEST ALONG THE NORTH LINE OF A TRACT OF LAND IN THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 15 RECORDED AT REC. NO. 0352988 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER, ALSO BEING THE SOUTH LINE OF SAID PORTION OF LOT 2, DECU COMMERCIAL PARK AND THE SOUTH LINE OF SAID LOT 1, MCCLINTOCK II SUBDIVISION, A DISTANCE OF 309.50 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE SOUTH 06°51'00" EAST ALONG THE WEST LINE OF SAID TRACT, ALSO BEING THE EAST LINE OF SAID LOT 1, MCCLINTOCK II SUBDIVISION A DISTANCE OF 159.80 FEET TO THE POINT OF BEGINNING.

COUNTY OF DOUGLAS, STATE OF COLORADO.

CONTAINING 268,710 SQ FT OR 6.169 ACRES, MORE OR LESS.

DEDICATION STATEMENT

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS OF THE LANDS DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED AND PLATED SAID LANDS INTO LOTS, TRACTS, BLOCKS, STREETS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF **HARDING HEIGHTS FILING NO. 1**.

RIGHTS-OF-WAY:

ALL PUBLIC STREETS AND RIGHTS-OF-WAY SHOWN HEREON ARE DEDICATED AND CONVEYED TO THE TOWN OF PARKER, COLORADO, IN FEE SIMPLE ABSOLUTE, FOR PUBLIC USES AND PURPOSES.

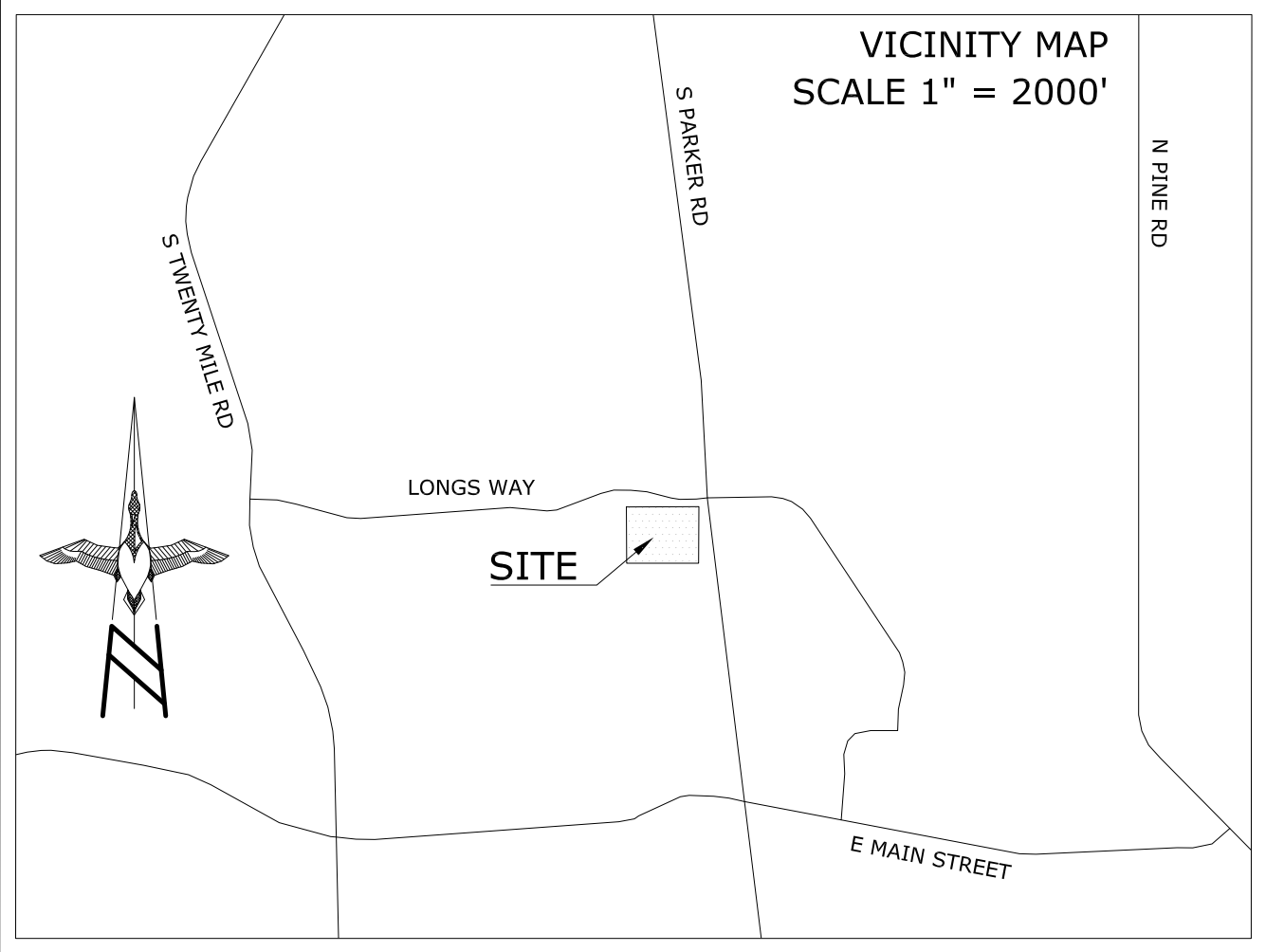
UTILITY EASEMENTS:

THE UTILITY EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED FOR PUBLIC UTILITIES, CABLE COMMUNICATION SYSTEMS FIBER AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES THAT ARE RESPONSIBLE FOR PROVIDING THE UTILITY SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES, NO IMPROVEMENTS THAT CONFLICT WITH OR INTERFERE WITH CONSTRUCTION, MAINTENANCE OR ACCESS TO UTILITIES SHALL BE PLACED WITHIN THE UTILITY EASEMENTS. PROHIBITED IMPROVEMENTS INCLUDE, BUT ARE NOT LIMITED TO, PERMANENT STRUCTURES, BUILDINGS, DECKS, STAIRS, WINDOW WELLS, AIR CONDITIONING UNITS AND OTHER OBJECTS THAT MAY INTERFERE WITH THE UTILITY FACILITIES OR USE AND MAINTENANCE THEREOF. PROHIBITED IMPROVEMENTS MAY BE REMOVED BY THE ENTITIES RESPONSIBLE FOR PROVIDING THE UTILITY SERVICES. THE OWNERS OF THE PROPERTY SUBJECT TO OR ADJACENT TO THE UTILITY EASEMENTS SHOWN HEREIN ARE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF SUCH AREAS, WHICH DOES NOT INCLUDE UTILITY LINES AND RELATED FACILITIES. WHEN THE OWNER(S) OR ADJACENT OWNERS FAIL TO ADEQUATELY MAINTAIN SUCH UTILITY EASEMENTS, INCLUDING THE REMOVAL OF PROHIBITED IMPROVEMENTS, THE MAINTENANCE, OPERATION, RECONSTRUCTION AND REMOVAL SHALL BE AT THE COST OF THE OWNER(S).

DRAINAGE AND STORMWATER:

DRAINAGE AND DETENTION EASEMENTS, AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE TOWN. THE TOWN IS HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO THE ADJACENT PROPERTIES FOR CONSTRUCTION, REPAIR, MAINTENANCE, OPERATION AND REPLACEMENT OF STORM SEWERS AND DRAINAGE FACILITIES. THE OWNERS OF THE LANDS DESCRIBED HEREIN SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF DRAINAGE EASEMENTS SHOWN HEREON AND RELATED FACILITIES, AS PROVIDED IN THE STORM DRAINAGE AND ENVIRONMENTAL CRITERIA MANUAL, AS AMENDED. THE UNDERSIGNED GRANTS THE TOWN OF PARKER A PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTY TO MAINTAIN, OPERATE AND RECONSTRUCT THE DRAINAGE EASEMENTS AND RELATED FACILITIES COVERED BY CHAPTER 4.08 OF THE TOWN OF PARKER MUNICIPAL CODE, AS AMENDED; AND TO MAINTAIN, OPERATE AND RECONSTRUCT THE DRAINAGE EASEMENTS AND RELATED FACILITIES NOT COVERED BY CHAPTER 4.08 OF THE PARKER MUNICIPAL CODE, AS AMENDED, WHEN THE OWNER(S) FAIL TO ADEQUATELY MAINTAIN SUCH DRAINAGE EASEMENTS AND RELATED FACILITIES, WHICH MAINTENANCE, OPERATION AND RECONSTRUCTION SHALL BE AT THE COST OF THE OWNER(S).

VICINITY MAP SCALE 1" = 2000'



DEDICATION STATEMENT (continued)

SIGHT EASEMENTS:

THE UNDERSIGNED GRANTS TO THE TOWN SIGHT EASEMENT(S) AS SHOWN HEREON WITHIN THE SUBDIVISION TO MAINTAIN ADEQUATE SIGHT DISTANCE AT ALL ROADWAY INTERSECTIONS AS PROVIDED BY THE TOWN OF PARKER ROADWAY DESIGN AND CONSTRUCTION CRITERIA MANUAL, AS AMENDED. NO SOLID STRUCTURES, TREES, OR LANDSCAPING TALLER THAN TWO FEET SHALL BE INSTALLED WITHIN THE SIGHT EASEMENTS. THE TOWN IS HEREBY GRANTED THE PERPETUAL RIGHT TO INGRESS AND EGRESS ACROSS ALL LOTS AND TRACTS WITHIN THE SUBDIVISION TO REMOVE ANY OBSTRUCTION TO THE PROPER SIGHT DISTANCE, INCLUDING, BUT NOT LIMITED TO, ANY STRUCTURE, FENCE, UTILITY BOX, RAISED MEDIAN, TREES, AND LANDSCAPING, AT THE SOLE COST AND EXPENSE OF THE OWNER OF THE LOT/TRACT UPON WHICH SUCH OBSTRUCTION IS SITUATED. THE OWNER(S) OR ADJACENT PROPERTY OWNERS OF THE LANDS SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF SIGHT EASEMENTS SHOWN HEREON. SHOULD THE OWNER(S) OR ADJACENT OWNERS FAIL TO ADEQUATELY MAINTAIN SUCH SIGHT EASEMENTS, THE TOWN MAY PERFORM OR CAUSE TO BE PERFORMED THE NECESSARY MAINTENANCE, OPERATION OR RECONSTRUCTION AT THE COST OF THE OWNER(S).

SIDEWALKS:

THE UNDERSIGNED HEREBY DEDICATES SIDEWALK EASEMENTS AS SHOWN HEREON, WHICH SIDEWALKS SHALL REMAIN OPEN FOR PUBLIC USE. THE UNDERSIGNED GRANTS THE TOWN THE PERPETUAL RIGHT OF INGRESS AND EGRESS UPON THE ADJACENT PROPERTY FOR THE OPERATION, MAINTENANCE, AND RECONSTRUCTION OF THE SIDEWALKS. THE TOWN SHALL ALSO HAVE THE RIGHT TO REMOVE ANY OBSTRUCTION THAT WOULD ADVERSELY AFFECT THE OPERATION AND MAINTENANCE OF THE SIDEWALKS, AS DETERMINED BY THE TOWN.

ACKNOWLEDGEMENT

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS OF THE LANDS DESCRIBED HEREIN, HEREBY ACKNOWLEDGE THAT ANY SUBDIVISION APPROVAL OBTAINED BY THE TOWN OF PARKER DOES NOT OBLVATE SAID UNDERSIGNED'S NEED OR RESPONSIBILITY TO COMPLY WITH THE REQUIREMENTS OF THE ENDANGERED SPECIES ACT OF 1973, 16 U.S.C. §1 531, ET SEQ., AS AMENDED, OR WITH ANY OTHER APPLICABLE FEDERAL, STATE OR LOCAL LAWS OR REGULATIONS.

QUIKTRIP CORPORATION, AN OKLAHOMA CORPORATION

BY: _____

JASON ACORD

TITLE: DIRECTOR OF REAL ESTATE

ATTEST:

SECRETARY

STATE OF _____)

_____) SS

COUNTY OF _____)

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____, 20____, BY JASON ACORD AS DIRECTOR OF REAL ESTATE FOR QUIKTRIP CORPORATION, AN OKLAHOMA CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

LAND USE TABLE				
LOT/TRACT	AREA (SF)	AREA (AC)	USE	PROPOSED OWNERSHIP
LOT 1	91,369	2.098	COMMERCIAL DEVELOPMENT	RETAINED BY OWNER
LOT 2	58,538	1.344	COMMERCIAL DEVELOPMENT	RETAINED BY OWNER
LOT 3	112,194	2.576	COMMERCIAL DEVELOPMENT	RETAINED BY OWNER
R.O.W.	6,609	0.151	R.O.W. FOR PARKER ROAD	TOWN OF PARKER, COLORADO
TOTAL	268,710	6.169		

STATEMENT OF PURPOSE

THIS FINAL PLAT IS BEING PREPARED AND RECORDED TO ACCOMPLISH THE FOLLOWING: VACATE THE LOT LINE COMMON TO LOTS 1 & 2, PARKER DOWNS FILING NO. 3 & LOT 1, MCCLINTOCK II SUBDIVISION & PORTIONS OF LOTS 1 & 2, DECU COMMERCIAL PARK AS DESCRIBED IN WARRANTY DEED RECORDED 2/25/2005 AS RECEPTION NO. 2005015175 OF THE RECORDS OF DOUGLAS COUNTY TO CREATE THREE (3) SINGLE PLATTED LOTS.

GENERAL NOTES

- 1) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 2) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ALTURA LAND CONSULTANTS, LLC. TO DETERMINE RECORD TITLE, EASEMENTS OR RIGHTS-OF-WAY. TITLE COMMITMENT NO. 20000310098, WITH AN EFFECTIVE DATE OF JANUARY 31, 2020, PREPARED BY STEWART TITLE GUARANTY COMPANY WAS RELIED UPON FOR ALL INFORMATION REGARDING TITLE OF RECORD, EASEMENTS OF RECORD AND RIGHTS-OF-WAY.
- 3) FLOOD ZONE DESIGNATION: THE SUBJECT PROPERTY LIES ENTIRELY WITHIN ZONE X (AREA OF MINIMAL FLOOD HAZARD).
- 4) FIELD SURVEY COMPLETION DATE: FEBRUARY 18, 2020
- 5) UNIT OF MEASUREMENT: U.S. SURVEY FOOT.
- 6) ANY FUTURE ACCESS POINTS TO THE LOT SHALL BE REVIEWED BY TOWN STAFF.
- 7) BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEARING NORTH 89°30'00" WEST DEFINED AND MEASURED BETWEEN THE MONUMENTS FOUND AND SHOWN, ALSO REFERENCED IN MCCLINTOCK II SUBDIVISION RECORDED AT RECEPTION NO. 9128358, AND PARKER DOWNS FILING NO. 3 RECORDED AT RECEPTION NO. 9251062.
- 8) WITHIN THE SIGHT TRIANGLES, AS SHOWN, LIMITED LANDSCAPING SHALL BE ALLOWED BUT NO SOLID STRUCTURES OR TREES WILL BE PERMITTED. SOLID STRUCTURES SHALL INCLUDE, BUT NOT BE LIMITED TO, FENCES, MAILBOXES, AND UTILITY BOXES. LANDSCAPING WITHIN THE SIGHT TRIANGLES WILL BE LIMITED TO SHRUBS AND PLANTINGS THAT AT MATURITY WILL BE NO TALLER THAN TWO FEET. LANDSCAPING WITHIN THE SIGHT TRIANGLE SHALL BE MAINTAINED BY THE PROPERTY OWNER OR APPROPRIATE ASSOCIATION.
- 9) ACCESS EASEMENT ARE HEREBY GRANTED OVER ALL PRIVATE ENTRANCES AND INTERNAL ROADWAYS WITHIN THE DEVELOPMENT FOR THE BENEFIT OF ALL CURRENT AND FUTURE OWNERS OF THIS PROPERTY FOR INGRESS, EGRESS AND TRAFFIC CIRCULATION. SHOULD THIS PROPERTY BE SUBDIVIDED INTO ADDITIONAL LOTS, ALL SUCH LOTS SHALL HAVE THE RIGHT TO USE ALL SUCH ENTRANCES AND ROADWAYS FOR PUBLIC ACCESS PURPOSES.
- 10) NO CERTIFICATES OF OCCUPANCY, TEMPORARY OR OTHERWISE WILL BE ISSUED UNTIL ALL PUBLIC IMPROVEMENTS AND NECESSARY ONSITE IMPROVEMENTS ARE COMPLETED AND ACCEPTED IN WRITING BY THE TOWN.
- 11) NO CERTIFICATES OF OCCUPANCY, TEMPORARY OR OTHERWISE SHALL BE ISSUED UNTIL THE LANDSCAPING IS INSTALLED AND APPROVED BY THE TOWN OR AS OTHERWISE ALLOWED IN THE LAND DEVELOPMENT CODE.
- 12) PRIVATE ACCESS DRIVES/ROADWAYS MUST BE CONSTRUCTED PRIOR TO THE ISSUANCE OF TEMPORARY CERTIFICATE OF OCCUPANCY AND/OR CERTIFICATE OF OCCUPANCY FOR ANY DEVELOPMENT OCCURRING ON PROPERTY SHOWN HEREIN.
- 13) THIS PLAT IS SUBJECT TO A PERPETUAL, NON-EXCLUSIVE CROSS PARKING EASEMENT FOR THE SHARED USE OF ALL PARKING SPACES SITUATED WITH THE PROPERTIES SHOWN HEREIN. THE OWNER OF EACH LOT SHALL KEEP AND MAINTAIN THE PARKING SPACES CONTAINED WITHIN THERE RESPECTIVE LOT IN A COMMERCIALLY REASONABLE CONDITION AND STATE OF REPAIR.

TITLE VERIFICATION

WE, STEWART TITLE GUARANTY COMPANY, A QUALIFIED TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LAND PLATTED HEREON AND THAT TITLE TO SUCH LAND IS IN THE DEDICATOR(S) FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

DATE _____ STEWART TITLE GUARANTY COMPANY

STATE OF _____)

_____) SS

COUNTY OF _____)

SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____, 20____, BY _____

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____

PLANNING COMMISSION CERTIFICATE OF APPROVAL

THIS MINOR DEVELOPMENT PLAT WAS REVIEWED BY THE PLANNING COMMISSION ON THIS ____ DAY OF _____, 20____.

PLANNING DIRECTOR, ON BEHALF OF THE PLANNING COMMISSION

TOWN COUNCIL CERTIFICATE OF APPROVAL

THIS PLAT WAS APPROVED BY THE TOWN COUNCIL AND/OR, WHERE APPLICABLE, THE PLANNING DIRECTOR AND DIRECTOR OF ENGINEERING OF THE TOWN OF PARKER, COLORADO, ON THE ____ DAY OF _____, 20____, FOR FILING. THE DEDICATIONS ARE HEREBY ACCEPTED.

ALL EXPENSES INCURRED WITH RESPECT TO IMPROVEMENTS FOR ALL UTILITY SERVICES, PAVING, GRADING, CURBS, GUTTERS, SIDEWALKS, ROAD LIGHTING, ROAD SIGNS, FLOOD PROTECTION DEVICES, DRAINAGE STRUCTURES AND ALL OTHER IMPROVEMENTS THAT MAY BE REQUIRED SHALL BE THE RESPONSIBILITY OF THE SUBDIVIDER AND NOT THE TOWN OF PARKER. THE TOWN SHALL ONLY ACCEPT MAINTENANCE OF THE ROADWAY IMPROVEMENTS AFTER CONSTRUCTION HAS BEEN COMPLETED, AND AFTER THE WARRANTY PERIOD, IN ACCORDANCE WITH TOWN REGULATIONS.

THIS ACCEPTANCE DOES NOT GUARANTEE THAT THE SOIL CONDITIONS, SUBSURFACE GEOLOGY, GROUNDWATER CONDITIONS OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT WILL BE ISSUED.

MAYOR, TOWN OF PARKER

ATTEST: _____
TOWN CLERK

SURVEYOR'S CERTIFICATE

I, JESUS A. LUGO, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF **HARDING HEIGHTS FILING NO. 1** WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION ON OR ABOUT THE 8TH DAY OF JULY, 2020, AND THAT THE SURVEY IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF THAT ALL MONUMENTS EXIST AS SHOWN HEREON; IT HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 (SECOND ORDER); AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND AND ALL PROVISIONS, WITHIN MY CONTROL, OF THE TOWN SUBDIVISION REGULATIONS. THIS SURVEY IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED, AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID MINOR DEVELOPMENT PLAT AND THE SURVEY THEREOF.

I ATTEST THE ABOVE ON THIS ____ DAY OF _____, 20____.

JESUS A. LUGO, A COLORADO LICENSED PROFESSIONAL LAND SURVEYOR, LICENSE NO. 38081

FOR AND ON BEHALF OF ALTURA LAND CONSULTANTS, L.L.C.

PREPARED BY:



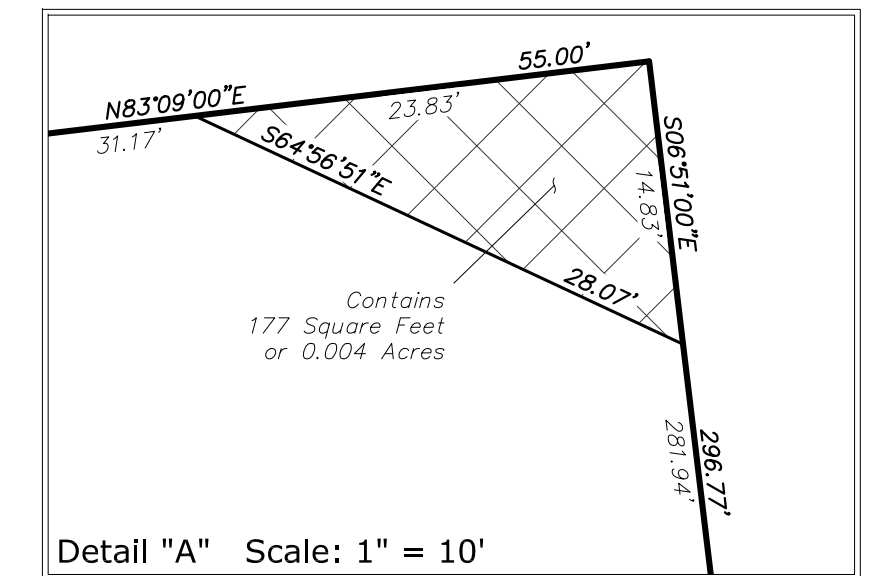
6950 South Tucson Way, Unit C
Centennial, Colorado 80112 Phone: (720)488-1303
JOB NO. 20213 PREPARED JULY 8, 2020

REVISIONS

NO.	DATE	REVISION	BY
6	11/21/23	6TH SUBMITTAL REVIEW REVISION	KJS
2	06/02/21	2ND SUBMITTAL REVIEW REVISION	KJS
3	11/05/21	3RD SUBMITTAL REVIEW REVISION	KJS
4	02/01/23	4TH SUBMITTAL REVIEW REVISION	KJS
5	10/26/23	5TH SUBMITTAL REVIEW REVISION	KJS

SHEET 1 OF 4

A REPLAT OF LOTS 1 AND 2, PARKER DOWNS, FILING NO. 3, LOT 1, MCCLINTOCK II SUBDIVISION AND THOSE PORTIONS OF LOTS 1 AND 2, DECU COMMERCIAL PARK LYING BETWEEN THE EAST LINE OF MCCLINTOCK II SUBDIVISION AND THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 83, LYING WITHIN A PORTION OF THE SOUTHWEST 1/4 OF THE SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
3 LOTS, 6.169 ACRES/268,710 SQUARE FEET±



REC. NO.	RECEPTION NUMBER	R.O.W.	RIGHT OF WAY
BOOK/PAGE		Δ	DELTA/CENTRAL ANGLE
PLS	PROFESSIONAL LAND SURVEYOR	R	RADIUS
LS	LAND SURVEYOR	L	LENGTH
CDOT	COLORADO DEPARTMENT OF TRANSPORTATION		
PWSD	PARKER WATER & SANITATION DISTRICT		

2) INDICATES PORTION DEDICATED FOR RIGHT-OF-WAY PURPOSES

●	INDICATES FOUND MONUMENT AS NOTED
○	INDICATES SET MONUMENT STAMPED "ALTURA LAND PLS 38081"
⊕	INDICATES FOUND SECTION MONUMENT AS NOTED

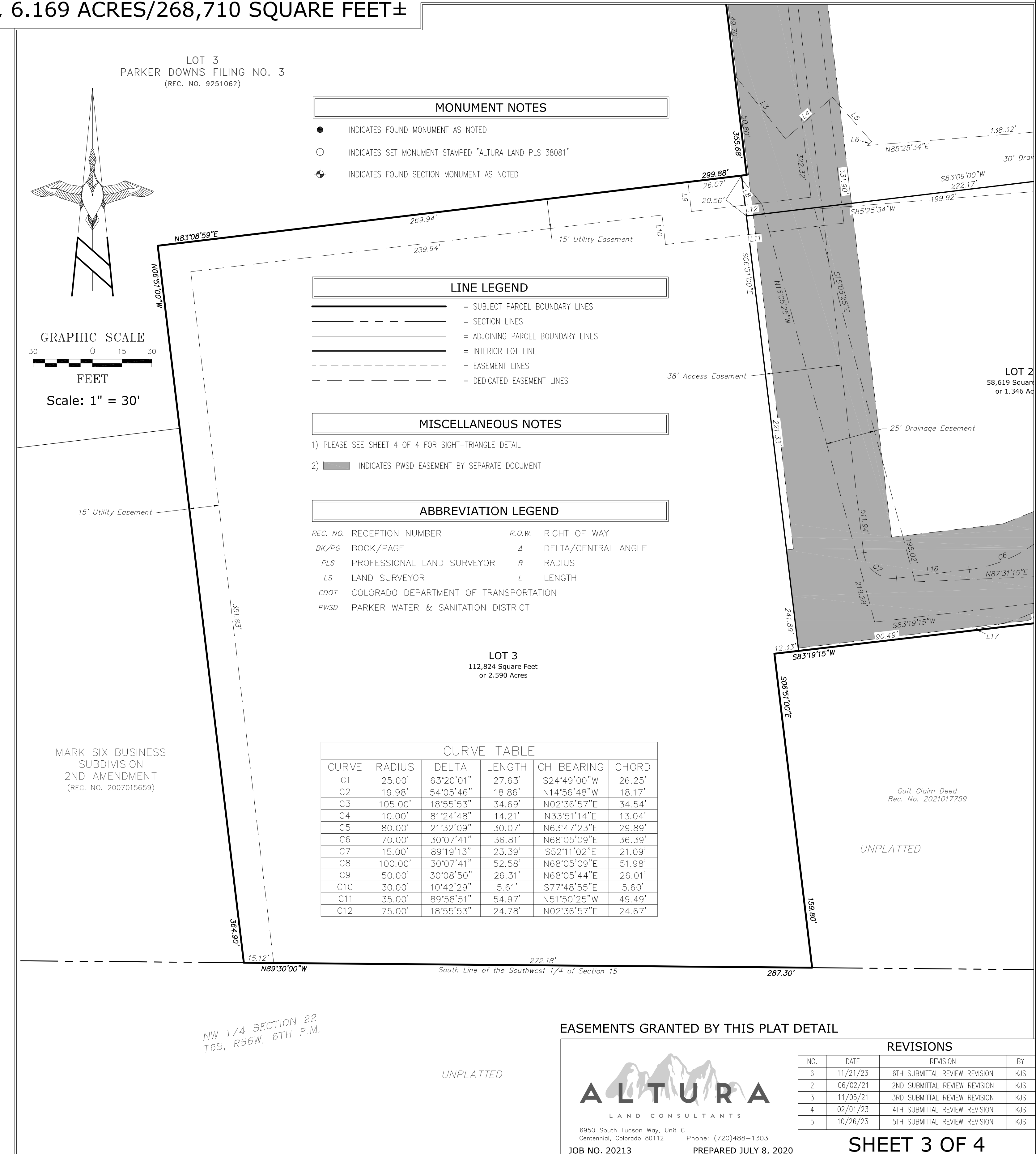
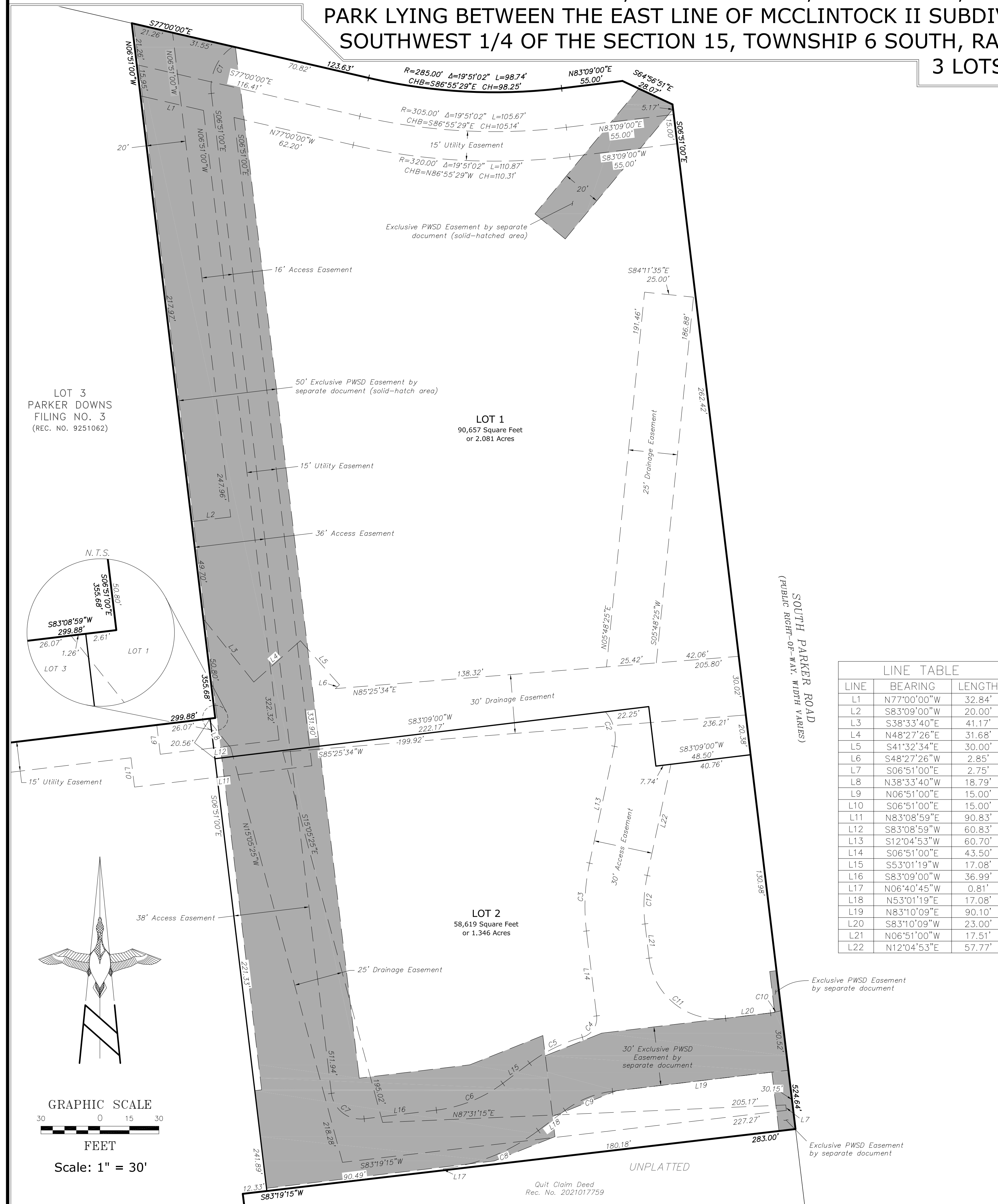
_____ = SUBJECT PARCEL BOUNDARY LINES
 - - - - - = SECTION LINES
 _____ = ADJOINING PARCEL BOUNDARY LINES
 _____ = INTERIOR LOT LINE
 - - - - - = EASEMENT LINES
 _____ = DEDICATED EASEMENT LINES

REVISIONS			
NO.	DATE	REVISION	BY
6	11/21/23	6TH SUBMITTAL REVIEW REVISION	KJS
2	06/02/21	2ND SUBMITTAL REVIEW REVISION	KJS
3	11/05/21	3RD SUBMITTAL REVIEW REVISION	KJS
4	02/01/23	4TH SUBMITTAL REVIEW REVISION	KJS
5	10/26/23	5TH SUBMITTAL REVIEW REVISION	KJS

HARDING HEIGHTS FILING NO. 1

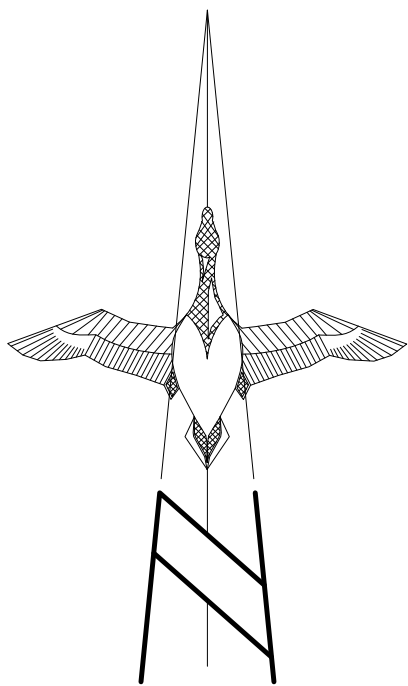
MINOR DEVELOPMENT PLAT

A REPLAT OF LOTS 1 AND 2, PARKER DOWNS, FILING NO. 3, LOT 1, MCCLINTOCK II SUBDIVISION AND THOSE PORTIONS OF LOTS 1 AND 2, DECU COMMERCIAL PARK LYING BETWEEN THE EAST LINE OF MCCLINTOCK II SUBDIVISION AND THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 83, LYING WITHIN A PORTION OF THE SOUTHWEST 1/4 OF THE SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO



HARDING HEIGHTS FILING NO. 1
MINOR DEVELOPMENT PLAT

A REPLAT OF LOTS 1 AND 2, PARKER DOWNS, FILING NO. 3, LOT 1, MCCLINTOCK II SUBDIVISION AND THOSE PORTIONS OF LOTS 1 AND 2, DECU COMMERCIAL PARK LYING BETWEEN THE EAST LINE OF MCCLINTOCK II SUBDIVISION AND THE WEST RIGHT-OF-WAY OF STATE HIGHWAY 83, LYING WITHIN A PORTION OF THE SOUTHWEST 1/4 OF THE SECTION 15, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
3 LOTS, 6.169 ACRES/268,710 SQUARE FEET±



GRAPHIC SCALE
40 0 20 40
FEET
Scale: 1" = 40'

LINE LEGEND	
	= SUBJECT PARCEL BOUNDARY LINES
	= SECTION LINES
	= ADJOINING PARCEL BOUNDARY LINES
	= INTERIOR LOT LINE
	= EASEMENT LINES
	= DEDICATED EASEMENT LINES

SIGHT-TRIANGLE DETAIL

REVISIONS			
NO.	DATE	REVISION	BY
6	11/21/23	6TH SUBMITTAL REVIEW REVISION	KJS
2	06/02/21	2ND SUBMITTAL REVIEW REVISION	KJS
3	11/05/21	3RD SUBMITTAL REVIEW REVISION	KJS
4	02/01/23	4TH SUBMITTAL REVIEW REVISION	KJS
5	10/26/23	5TH SUBMITTAL REVIEW REVISION	KJS

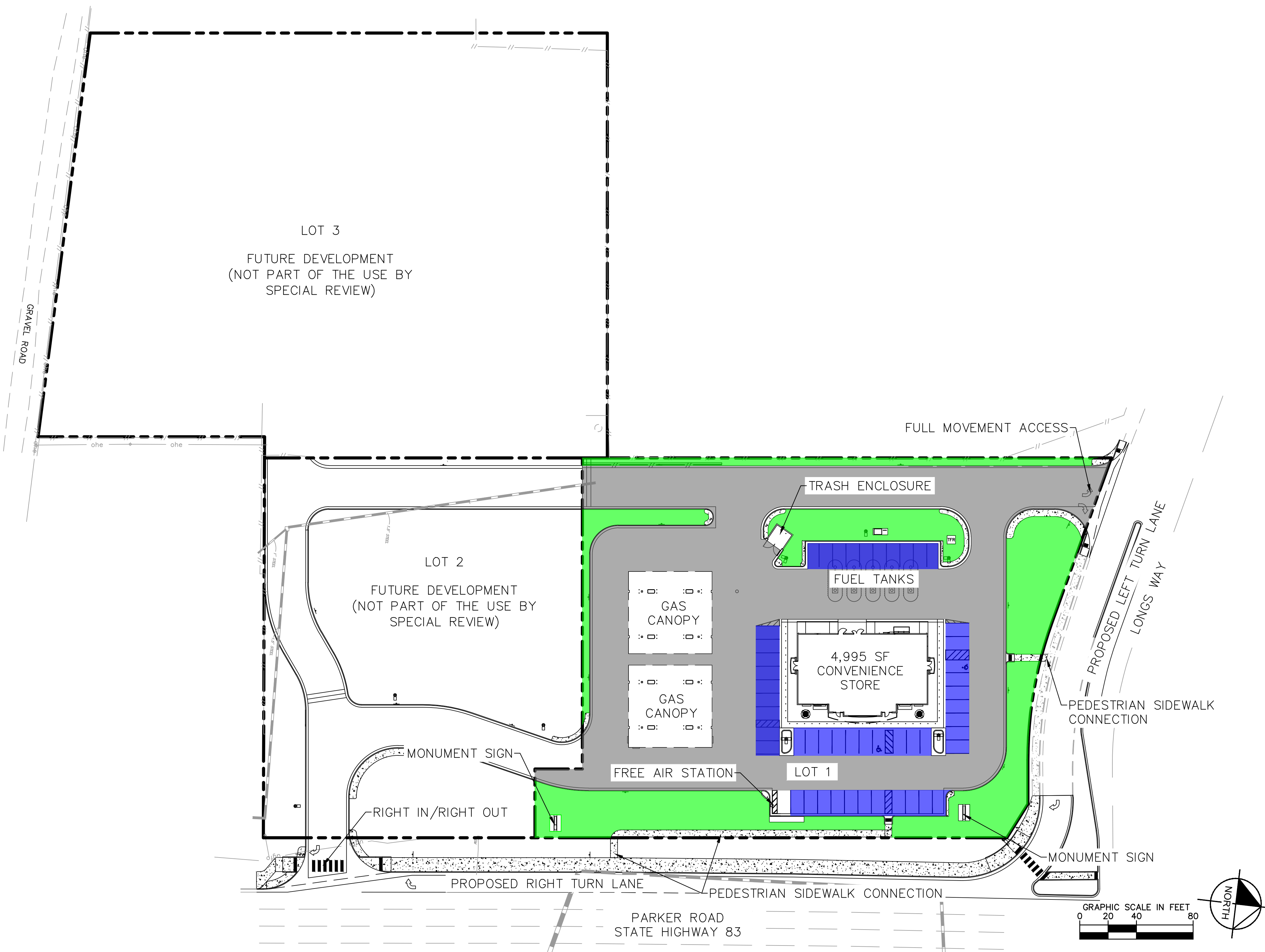
6950 South Tucson Way, Unit C
Centennial, Colorado 80112 Phone: (720)488-1303
JOB NO. 20213 PREPARED JULY 8, 2020

SHEET 4 OF 4

HARDING HEIGHTS MINOR SUBDIVISION FILING NO. 1, LOT 1

A PORTION OF THE SOUTHWEST 1/4 OF THE SECTION 15,
TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH P.M.
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

SITE PLAN



- LEGEND
- PROPOSED PROPERTY LINE
 - PROPOSED LANDSCAPE AREA
 - PROPOSED DRIVE AISLE/ACCESS DRIVE
 - PROPOSED PARKING AREA

Kimley»Horn
2021 KIMLEY-HORN AND ASSOCIATES, INC.
4362 South Ulster Street, Suite 1500
Denver, Colorado 80237 (303) 228-2300

DESIGNED BY: SAM
DRAWN BY: RET
CHECKED BY: SAM
DATE: 04/15/2021

HARDING HEIGHTS MINOR SUBDIVISION
FILING NO. 1, LOT 1
SITE PLAN
USE BY SPECIAL REVIEW EXHIBIT

PRELIMINARY
FOR REVIEW ONLY
NOT FOR
CONSTRUCTION
Kimley»Horn
Kimley-Horn and Associates, Inc.

PROJECT NO.
096888008

DRAWING NAME
Simplified Site Plan

EXHIBIT

Harding Heights - Minor Development Plat, Use by Special Review & Rezone

Vicinity Map

