



PLANNING COMMISSION MEETING

7:00 PM

July 26, 2018

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **ADDITIONS TO OR DELETIONS FROM THE AGENDA**
5. **APPROVAL OF MINUTES**
 - A. **July 12, 2018 Meeting Minutes**
6. **CONSENT AGENDA**
7. **PUBLIC HEARINGS**
 - A. **ORDINANCE NO. 3.147.6**

A Bill for an Ordinance to Amend Sections 13.02.010, 13.06.070 and 13.07.030 of the Parker Municipal Code Concerning Residential Roadway Buffering Standards

Applicant: Town of Parker
Location: Townwide
Department: Community Development, Carolyn Parkinson
 - B. **ORDINANCE NO. 1.514**

A Bill for an Ordinance Vacating a Portion of Sun Way Located within the Plat of Parker Square - Tract C-1

Applicant: Gene Gregory and Sons
Location: Southeast Corner of Solar Circle and Sun Way
Department: Community Development, Stacey Nerger
Department: Public Works Engineering, Alex Mestdagh

C. **PARKER POINTE - Zoning**

Applicant: Parker and Stroh, LLC
Location: Southeast Corner of Parker Road and Stroh Road
Department: Community Development, Paul Workman
TRAKiT Nos.: Z17-024

8. **PLANNING COMMISSION ITEMS**

9. **STAFF ITEMS**

10. **ADJOURNMENT**



PLANNING COMMISSION MINUTES
July 12, 2018

Chair Gary Poole called the meeting to order at 7:00 p.m.

Commissioner John Howe led the Planning Commission and audience in the Pledge of Allegiance.

Also, present were Commissioners Eliana Burke, Erik Frandsen and Kelly Hickler. Alternates Ruth Ann Nelson and Kimberly Rodell were present and seated for the absent Commissioners Duane Hopkins and Richard Foerster. Alternate Tracie Manske was present.

Chair Gary Poole welcomed the newly appointed Planning Commissioners.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

APPROVAL OF MINUTES

Commissioner John Howe moved to approve the June 28, 2018 meeting minutes. Commissioner Ruth Ann Nelson seconded; a vote was taken and passed 4:0:3 with Commissioners Eliana Burke and Erik Frandsen abstaining due to being absent from the June 28, 2018 meeting; and Commissioner Kelly Hickler abstaining due to not being appointed for that meeting.

CONSENT AGENDA

None

PUBLIC HEARING: OPENED: 7:02 P.M. PARKER SQUARE - TRACT C-1 – Rezone

Applicant: Gene Gregory and Sons
Location: Southeast corner of Solar Circle and Sun Way
Planner: Ryan McGee
TRAKiT NO.: Z18-015

Ryan McGee, Planner, presented the staff report for Parker Square – Tract C-1 – Rezone. Mr. McGee concluded with the determinations in staff's report and recommended the Planning Commission recommend Town Council approve the request.

Commissioners discussed with staff:

- the type of restaurant planned for the property; (*Staff said the plan is to have a Cajun restaurant at the site; named Gator Lounge.*)

APPLICANT PRESENTATION

None

PUBLIC COMMENT OPENED

None

PUBLIC COMMENT CLOSED

PUBLIC HEARING: CLOSED: 7:06 P.M. PARKER SQUARE - TRACT C-1 – Rezone

PLANNING COMMISSION DISCUSSION

Commissioner John Howe said the request is straight-forward; it meets the nine criteria for approval and he was glad to see another sit-down restaurant come to town; he supported recommending approval by Town Council.

Commissioner Eliana Burke agreed.

Commissioner Kelly Hickler agreed.

Commissioner Erik Frandsen agreed; the request to bring the zoning in-line with the surrounding area makes sense; he supported recommending approval by Town Council.

Commissioner Ruth Ann Nelson agreed; the change in zoning gives future development greater flexibility in site plan design; there is not much difference from C-Commercial zoning; she supported recommending approval by Town Council.

Commissioner Kimberly Rodell said she supported recommending approval by Town Council for this straight-forward, contiguous use request.

Chair Gary Poole concurred.

Commissioner John Howe moved that the Planning Commission recommend Town Council approve the rezone request. Commissioner Eliana Burke seconded; a vote was taken and passed 7:0.

PUBLIC HEARING: OPENED: 7:08 P.M. STONEGATE FILING 27, FIRST AMENDMENT, LOT 1A-1 - Use by Special Review

Applicant: Michelle Lamoureux, Pinnacle Consulting, Inc.
Location: North of E470 between Jordan Road and Chambers Road
Planner: Ryan McGee
TRAKiT NO.: Z17-0018

Chair Gary Poole asked if any Commissioner needed to disclose any conflicts of interest or site visit for this item.

There were none.

Ryan McGee, Planner, presented the staff report for Stonegate Filing 27, First Amendment, Lot 1A-1 – Use by Special Review. Mr. McGee concluded with the determinations in staff's report and recommended the Planning Commission recommend Town Council approve the request, as conditioned in the staff report.

Commissioners discussed with staff:

- if parking for service vehicles will be added or if the existing parking will be used; *(Staff said the service vehicles will use existing parking.)*
- if there is an access easement with the property owner; *(Staff said yes, there is one.)*
- the security measures for the monopole; *(Staff said the base of the facility is secured and locked.)*
- the zoning for the northerly properties; *(Staff said the northerly property is Cottonwood Highlands Mixed-use; allows for residential and limited commercial.)*

APPLICANT PRESENTATION

Jenny Hamblin, Pinnacle Consulting, Inc., 3 Inverness Drive East Suite 200, Englewood, CO presented:

- information on the site location
- Sprint's desire to fill coverage gaps with leasable, zonable and constructible locations
- the adjacent property owners have voiced no objections to the use
- the request for the 60-foot monopole will allow for filtering the gap to improve coverage between E470 and Chambers Road
- RF justification letter supplied by Sprint
- Sprint agrees to all conditions for approval
- construction planned to commence within 180 days from project approval; if there are any plan changes the Town of Parker will be notified within 15 days

Commissioners discussed with staff and Ms. Hamblin:

- the estimated construction completion date; *(Ms. Hamblin said she believed construction to be completed within three months.)*
- the diameter of the top of the monopole; *(Ms. Hamblin said the diameter of the top of the monopole is three-feet.)*
- if Centennial Airport will require the monopole lit for air traffic safety; *(Ms. Hamblin said no, the monopole is outside of the air traffic corridor that requires lights.)*

- if consideration was given to locating two 35-foot monopoles in different locations opposed to one 60-foot monopole to obtain the same coverage; (*Ms. Hamblin said no, because to improve coverage in the area the other considered locations are in residential areas; with additional cost considerations; the proposed location will provide the best coverage with the extended height of the monopole.*)
- if the FAA requires changes do the changes have to come back to a hearing; (*Mr. McGee said the FAA comments are standard and have been addressed prior to this hearing.*)

PUBLIC COMMENT OPENED

None

PUBLIC COMMENT CLOSED

PUBLIC HEARING: CLOSED: 7:23 P.M. STONEGATE FILING 27, FIRST AMENDMENT, LOT 1A-1 - Use by Special Review

PLANNING COMMISSION DISCUSSION

Commissioner John Howe said this is a straight-forward request that won't interfere with any existing development. He did have a concern that is no requirement to have the monopole lit; not for airplane traffic but for flight-for-life helicopters; he said the request meets the nine criteria for approval and he supported recommending Town Council approve the request.

Commissioner Kimberly Rodell said this is a great location for the monopole; she noticed the site is near power-lines, which appear to be taller than the monopole and has concern for both airplanes and helicopters in the area. She hoped community coverage is increased and she supported recommending Town Council approve the request.

Commissioner Eliana Burke said she preferred the design of the monopole over others that look like small Eiffel Towers. She said the design is nice and clean; she supported recommending Town Council approve the request.

Commissioner Ruth Ann Nelson said was impressed with the streamline look of the pole; she knew residents in the area will be delighted with the improved coverage; the request meets the nine criteria for approval and she supported recommending Town Council approve the request.

Commissioner Erik Frandsen said he supported recommending Town Council approve the request.

Commissioner Kelly Hickler said she supported recommending Town Council approve the request.

Chair Gary Poole concurred; he believed it is a much more attractive monopole; he thanked staff and the applicant for that.

Commissioner Eliana Burke moved that the Planning Commission recommend the Town Council approve the Use by Special Review request to allow a freestanding wireless communications facility and allow it to exceed the 35-foot maximum structure height permitted in the Modified Light Industrial zone district subject to the four (4) conditions contained in staff's report. Commissioner Erik Frandsen seconded; a vote was taken and passed 7:0.

PUBLIC HEARING: OPENED: 7:26 P.M. REATA NORTH FILING 1, TRACTS S and T – WELL HOUSE ACCESS ROAD - Site Plan Amendment

Applicant: Lela Perkins, Black and Veatch for Parker Water and Sanitation District (PWSD)
Location: Generally located northwest of the intersection of Hilltop Road and Canterbury Parkway
Planner: Carolyn Parkinson
TRAKiT NO.: SP18-035

Chair Gary Poole asked if any Commissioner needed to disclose any conflicts of interest or site visit for this item.

There were none.

Carolyn Parkinson, Planner, presented the staff report for the Reata North Filing 1, Tracts S and T – Well house Access Road – Site Plan Amendment. Ms. Parkinson concluded with the determinations in staff's report and recommended the Planning Commission recommend that Town Council approve the request as conditioned in staff's report.

Commissioners discussed with staff:

- the road surface; if it would be compacted to mitigate dust; (*Staff said the road surface will be engineered gravel and be compacted.*)
- if weed control will be maintained; (*Staff said yes, maintenance of the road is required of PWSD, as part of the original easement agreement.*)
- if there is a way to block access to the well house; (*Staff said the area is part of public open-space trail so it cannot be blocked.*)
- safety mitigation to keep children away; (*Staff said the well house is in public open-space; and historically there haven't been issues.*)
- if the turning radius comment has been addressed; (*Staff said yes it has been addressed.*)

APPLICANT PRESENTATION

Lela Perkins, Black and Veatch, 11704 Hale Court, Parker, CO 80138, was available for Planning Commission questions:

- when will the project begin; (*Ms. Perkins said she anticipated construction to begin mid to late August.*)

- what is the nature of the chemicals and what clean-up method will be used if there is a spill; *(Ms. Perkins said PWSD is converting water resource sanitation from chlorine as the primary and secondary disinfectant to chlorine as the primary disinfectant and chloramine as the secondary disinfectant so the district can receive water from Aurora through the WISE Project and be compatible with the disinfectant processes of neighboring water facilities like the Pinery and Castle Rock facilitating water delivery through compatible systems; PWSD is removing all chlorine gas from their systems; replaced with sodium hydrochloride which is liquid bleach; much safer than hazardous materials. (Ms. Perkins deferred to Fire Life Safety staff to address the handling of spills. Randy Capra, Fire Life Safety, Town of Parker said sodium hydrochloride is safer to mitigate spills in the soil than chlorine and handled through established hazardous waste clean-up procedures.)*

PUBLIC COMMENT OPENED

None

PUBLIC COMMENT CLOSED

PUBLIC HEARING: CLOSED: 7:38 P.M. REATA NORTH FILING 1, TRACTS S and T – WELL HOUSE ACCESS ROAD - Site Plan Amendment

PLANNING COMMISSION DISCUSSION

Commissioner Eliana Burke said she lives by the well house and she saw no problem; her safety concerns are addressed; she supported recommending Town Council approve the request.

Commissioner John Howe supported recommending Town Council approve the request. He said the water treatment changes being made by PWSD will benefit consumers and improve safety in the area.

Commissioner Kelly Hickler said the improvements are needed and she supported recommending Town Council approve the request.

Commissioner Erik Frandsen said he liked the way the road is moving away from the ball fields and he supported recommending Town Council approve the request.

Commissioner Ruth Ann Nelson said she liked the idea that service and supply trucks will not have to share the road with bicyclists and pedestrians on the trail; she supported recommending Town Council approve the request.

Commissioner Kimberly Rodell agreed with the road placement and safety measures; she supported recommending Town Council approve the request.

Chair Gary Poole supported recommending Town Council approve the request; he appreciated the measures being taken by PWSD to conserve resources and plan for the future; they are to be commended.

Commissioner John Howe moved that the Planning Commission recommend that Town Council approve the Reata North Filing 1, Tracts S and T – Well House Access Road – Site Plan Amendment, subject to the five (5) conditions contained in staff s report. Commissioner Erik Frandsen seconded; a vote was taken and passed 7:0.

PLANNING COMMISSION ITEMS

None

STAFF ITEMS

None

ADJOURNMENT

The meeting was adjourned at 7:40 p.m.

Rosemary Sietsema
Recording Secretary

Gary Poole
Chair



Planning Commission Staff Report

Planning Commission Date: 7/26/2018

Town Council Date: 8/20/2018

Hearing Type: **Public Hearing**
ORDINANCE NO. 3.147.6 - A Bill for an Ordinance to Amend Sections 13.02.010, 13.06.070 and 13.07.030 of the Parker Municipal Code Concerning Residential Roadway Buffering Standards

Location: Townwide

Project Planner: Carolyn Parkinson, Planner

Applicant: Town of Parker

Executive Summary: The proposed Land Development Ordinance (LDO) amendment would require new single-family and duplex residential development to provide a landscaped buffer between the back of residential lots and the adjacent right-of-way (ROW) for all arterial and collector roadways.

Staff Recommendation: Approval

RECOMMENDED MOTION

"I move the Planning Commission recommend Town Council approve Ordinance No. 3.147.6 to Amend Sections 13.02.010, 13.06.070 and 13.07.030 of the Parker Municipal Code Concerning Residential Roadway Buffering Standards."

ALTERNATIVE MOTIONS

"I move that the Planning Commission recommend that Town Council approve Ordinance No. 3.147.6 to Amend Sections 13.02.010, 13.06.070 and 13.07.030 of the Parker Municipal Code Concerning Residential Roadway Buffering Standards, subject to the following conditions:"

-List conditions (either by staff or Planning Commission)

"I move that the Planning Commission recommend that Town Council deny Ordinance No. 3.147.6 to Amend Sections 13.02.010, 13.06.070 and 13.07.030 of the Parker Municipal Code Concerning Residential Roadway Buffering Standards as the request does not meet the following approval criteria:"

-List criteria not met (either by staff or Planning Commission)

“I move that the Planning Commission vote to continue Ordinance No. 3.147.6 to Amend Sections 13.02.010, 13.06.070 and 13.07.030 of the Parker Municipal Code Concerning Residential Roadway Buffering Standards to a future date.

I. BACKGROUND/DISCUSSION

The Parker Land Development Ordinance (LDO) currently lacks a requirement for new single-family and duplex residential development to incorporate landscaped buffers between residential lots and arterial and collector roadways. This proposed LDO amendment for residential roadway buffers was developed in order to:

- Prevent the creation of ‘fence canyons’ along arterial and collector roadways;
- Reduce nuisance impacts such as noise, dust and vibration from major roadways;
- Preserve our community character, and
- Promote high-quality subdivision design.

The original amendment was scheduled for public hearing in February of 2017. The development community had concerns regarding potential impacts on total lot yield, water costs and ongoing landscaping maintenance for homeowners’ associations. This prompted the Town to continue the hearing to a date uncertain to allow for additional input and analysis.

During the intervening timeframe, staff has conducted three meetings with the Development Liaison Committee (DLC) to coordinate and better understand concerns from the development community. The DLC is comprised of property owners, professional developers and developer representatives, engineers and consulting planner representatives that have been invited to provide expertise and advice regarding the possible impacts of development code changes to future development. Town staff also consulted with a landscape architecture and planning firm and an irrigation specialist to analyze the concerns and revise the proposed amendment to better address these concerns.

As a result of the analysis and conversations with the DLC the Town has structured the proposed residential roadway buffers amendment as follows:

- Residential roadway buffer standards are based on a staff analysis of existing buffer widths in Town.
- Landscape requirements in the buffer area have been revised to encourage a linear design that can reduce water tap fees, increase water conservation and lower ongoing maintenance costs for the Homeowners’ Association while still providing screening and a visual buffer between homes and the roadway.
- The proposed amendment allows for the limited reallocation of the required residential roadway buffer area subject to the approval of the Planning Director. This reallocation allows for flexibility in design to respond to existing topography and other site specific constraints. Reallocation can also result in an improved subdivision design.

The recommended buffer widths are shown in Schedule 13.7.030A below:

Schedule 13.07.030A

Residential Roadway Buffer Standards

Road Classification (Curb to Curb); extent of full ROW	Minimum Residential Roadway Buffer
	*Measured from ROW (Existing or proposed) to nearest rear residential lot line * Minimum buffer does not include ROW
Six Lane Roadway, Principal Arterial and Parker Road	35-feet minimum
Four Lane Roadway, Arterial and Major Collector	30-feet minimum
Two Lane Roadway, All other Collectors	25-feet minimum

II. PRIOR ACTIONS

Date	Action
	None

III. PARKER 2035 MASTER PLAN

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

MASTER PLAN CONSISTENCY	
2035 Master Plan	Choose an item. ☒ Consistent ☐ Inconsistent
Consistent Goals/Strategies	<u>Community Appearance and Design 1</u> <u>Community Appearance and Design 1.C</u>
Inconsistent Goals/Strategies	None
Staff Analysis	The Town of Parker 2035 Master Plan, Chapter 7 (Community Appearance and Design) states that ‘Our community will continue to enhance its sense of place and pride through the refinement, development and support of programs and policies which result in the highest possible standards of design in the built environment’. Specific goals in this chapter include an emphasis on well planned streets and walkways that maintain a safe and attractive public space. The proposed residential roadway buffer standards are consistent with these goals and the Town 2035 Master Plan.

IV. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
On November 22, 2017 the proposed amendments were presented at the bi-monthly Parker Coordinating Team Meeting. This meeting included Town departments, utility and other service providers. Staff invited comments from all agencies and departments. Below are the condensed versions of referral responses received from affected agencies:	
Parker Engineering	Engineering provided several comments to improve the clarity of the document. These comments have been incorporated into the proposed amendment.

V. CONCLUSION

The proposed amendment to the LDO will:

- Require buffer widths that are reflective of the existing high quality subdivisions in our community;
- Continue to allow for flexibility in subdivision design to respond to topography, parcel shape and other constraints; and
- Update landscaping regulations to allow for flexibility in design within these buffer areas that may reduce water and long term maintenance related costs for the development while still providing screening and visual buffering.

These proposed roadway buffer design standards will ensure quality and consistency in the design of our residential subdivisions and maintain a safe and attractive public space as provided for in the Towns Master Plan. Staff recommends approval of the proposed LDO amendment.

VI. ATTACHMENTS

1. Ordinance No. 3.147.6

Report Approved By: Bryce Matthews, Planning Manager

Through: Jason Rogers, Deputy Community Development Director

ORDINANCE NO. 3.147.6, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 13.02.010, 13.06.070 AND 13.07.030 OF THE PARKER MUNICIPAL CODE CONCERNING RESIDENTIAL ROADWAY BUFFER STANDARDS

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Section 13.02.010 of the Parker Municipal Code is amended by the addition of the definition for *residential roadway buffer* to read as follows:

Buffer, residential roadway means a strip of land to separate the rear or side property line of residential lots from the adjacent right-of-way for arterial and collector roadways and to screen from objectionable noise, smoke or visual impact.

Section 2. Section 13.06.070, Subsections (c) and (l)(5), of the Parker Municipal Code are amended, and Section 13.06.070 is also amended by the addition thereto of a new Subsection (n), to read as follows:

13.06.070 Landscape regulations.

* * *

(c) Types of landscaping required. ~~Five (5)~~ **Six (6)** types of landscaping may be required for each developed parcel:

- (1) Streetscape landscaping;
- (2) Parking lot perimeter landscaping;
- (3) Parking lot interior landscaping;
- (4) Site perimeter landscaping; and
- (5) Additional areas to be landscaped.

(6) Residential roadway buffer for single-family and duplexes, according to Paragraph 13.07.030(3) of this Code.

(l) Minimum site landscaping standards.

* * *

(5) In all required landscaped areas, except within public rights-of-way **and residential roadway buffers**, one (1) tree and five (5) shrubs shall be

planted for each one thousand five hundred (1,500) square feet of lot area not covered by a building or required parking.

* * *

(n) Residential roadway buffer landscaping.

(1) These standards shall apply to all residential subdivisions adjacent to highway, arterial and collector roadways. For additional information on residential buffer standards, see Section 13.07.030 of this Code.

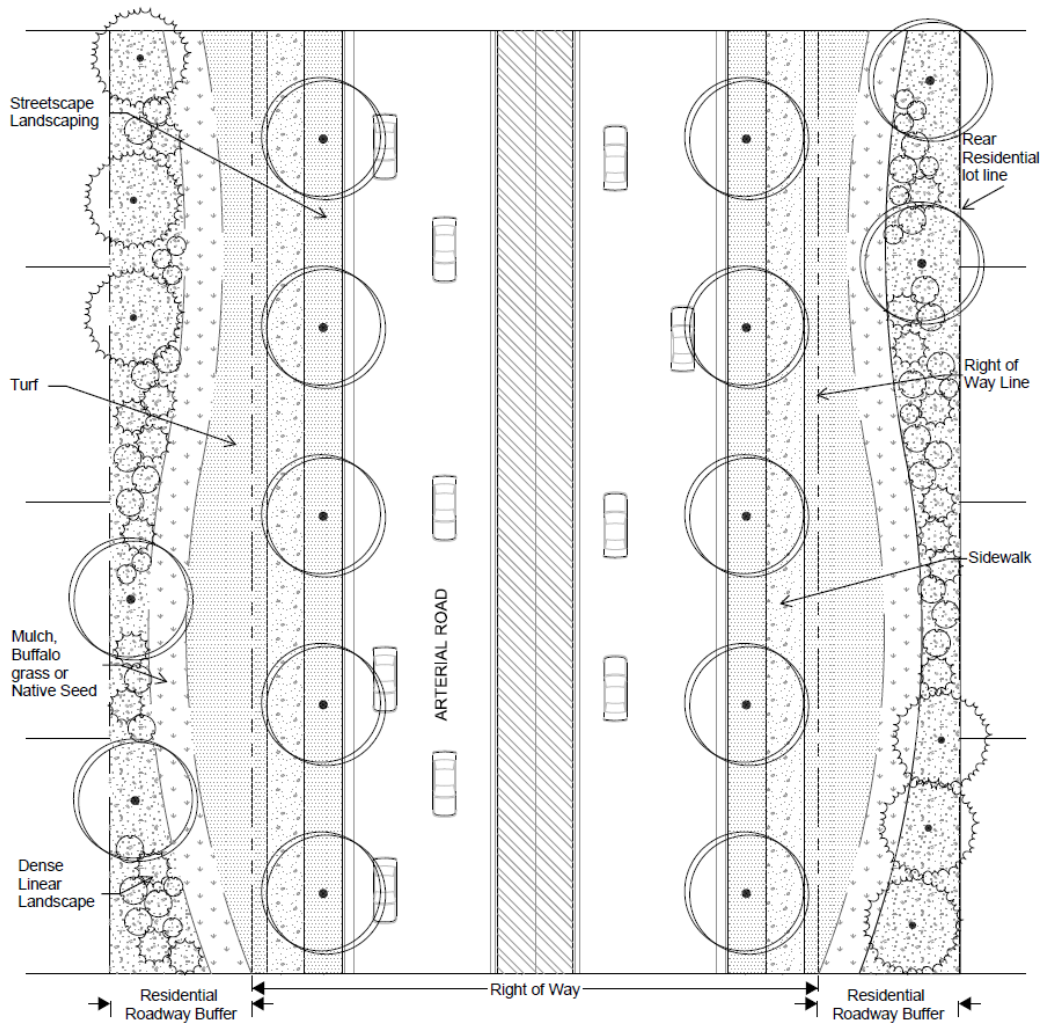
(2) Landscape design.

a. Residential development that is adjacent to highway, arterial and collector roadways shall provide for minimum residential roadway buffer widths per Schedule 13.07.030A located in Section 13.07.030 of this Code.

b. Streetscape landscaping may not be used to meet residential roadway buffer landscaping requirements.

c. To conserve water, a dense linear landscape layout is encouraged. See Schedule 13.06.070A below. Extensive use of traditional turf is discouraged.

SCHEDULE 13.06.070A



d. Native seed mixtures may be used in residential roadway buffers but may not be used directly adjacent to public sidewalks or within two hundred (200) feet of corners, intersections and subdivision entrances.

e. Residential roadway buffers may include trees, shrubs, other plant materials, earthen berms, landscape walls and fences, or other hardscape elements.

f. At a minimum, the residential roadway buffer shall provide for one (1) tree and five (5) shrubs for every thirty (30) linear feet of required buffer length. All minimum plant material standards required by Paragraph (g)(2) below apply with the following exception: Sixty percent (60%) of required shrubs must have a minimum mature height and spread of forty-eight inches (48") and shall meet this standard within three (3) years.

g. If the residential roadway buffer widths that are less than the minimum required by Schedule 13.07.030A, because of buffer reallocation, as provided by Subsection 13.07.030(4), then enhanced landscaping in those areas is required as follows:

1. Minimum buffer widths that fall below the minimum width by five (5) feet or less shall provide for one (1) tree and seven (7) shrubs for every 30-linear-foot section of the residential roadway buffer length that falls below the minimum; and

2. Minimum buffer widths that fall below the minimum width by six (6) feet or more shall provide for one (1) tree and ten (10) shrubs for every 30-linear-foot section of the residential roadway buffer length that falls below the minimum.

h. A minimum of fifty percent (50%) of required trees must be evergreen to provide year-round screening and color. Trees may be spaced irregularly in informal groupings or be uniformly spaced, as consistent with larger overall planting patterns and organization. No trees or groups of trees may be farther apart than thirty-five (35) feet.

Section 3. Subsections 13.06.070(n) through (q) are renumbered as (o) through (r).

Section 4. Section 13.07.030 of the Parker Municipal Code is amended by renumbering Paragraph (3) to (5), and the addition thereto of a new Paragraphs (3) and (4) to read as follows:

13.07.030 Development standards.

* * *

(3) Residential roadway buffer standards.

a. New single-family and duplex residential development shall ensure adequate residential roadway buffering between the edge of right-of-way for all highway, arterial and collector roadways and the adjacent or nearest residential lot(s). For the purpose of this requirement, major roads shall mean all highway, arterial and collector roadways, as described in the Roadway Design and Construction Criteria Manual.

b. The residential roadway buffer width shall be determined according to Schedule 13.07.030A.

c. Residential roadway buffers shall be landscaped according to the standards in Subsection 13.06.070(n) of this Code.

Schedule 13.07.030A

Residential Roadway Buffer Standards

<u>Road Classification (curb to curb); extent of full right-of-way</u>	<u>Minimum Residential Roadway Buffer^{1, 2}</u>
<u>Six-lane roadway, principal arterial and Parker Road</u>	<u>35' minimum</u>
<u>Four-lane roadway, arterial and major collector</u>	<u>30' minimum</u>
<u>Two-lane roadway, all other collectors</u>	<u>25' minimum</u>

¹Measured from right-of-way (existing or proposed) to nearest rear and side residential lot lines

²Minimum buffer does not include right-of-way

(4) Buffer reallocation.

a. Reallocated buffer area is intended to encourage varied and creative edge design and to provide a remedy for site-specific hardship or design constraints, subject to a reallocation plan approved by the Town (Schedule 13.07.030B).

b. Approval of a reallocation plan is subject to the following criteria:

1. There is no decrease in the total required residential roadway buffer area for a single block.

2. Relocated residential roadway buffer area remains within the originating block. Where blocks are less than five hundred (500) feet, the residential roadway buffer area may be reallocated to adjoining blocks, when approved by the Planning Director.

3. In no instance may the residential roadway buffer measure less than fifty percent (50%) of the required buffer width.

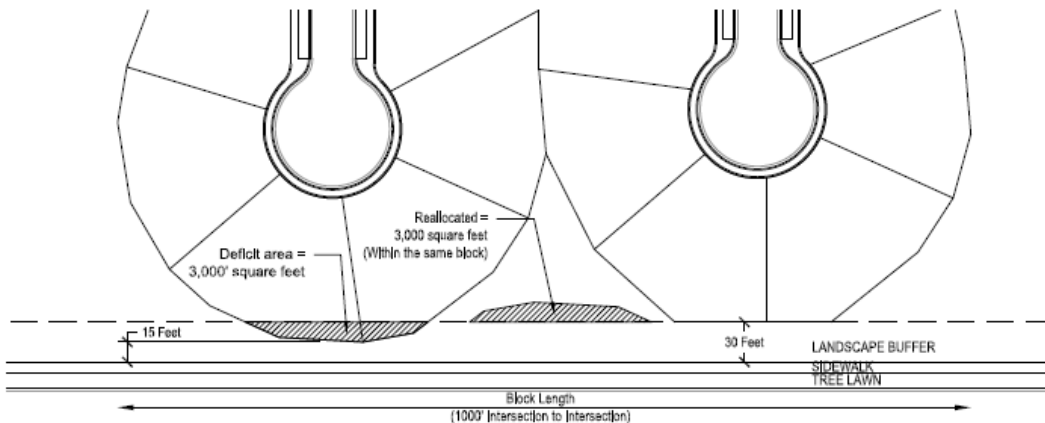
4. When reallocation results in a residential roadway buffer width that is less than the minimum, enhanced landscaping is required, as required by Subparagraph 13.06.070(n)(2)g of this Code. The proposed design shall mitigate the visual and noise impacts resulting from the decreased buffer area and shall conform to Section 13.06.070 (n)(2)g. of this Code.

5. Reallocation square footage is limited to twenty-five percent (25%) of the total required residential roadway buffer square footage for any given block. (intersection to intersection).

The twenty-five percent (25%) limit may be increased for blocks of less than five hundred (500) feet, when approved by the Planning Director.

6. Residential roadway buffer design shall be sensitive to existing topography and provide improved and attractive buffering for residential lots adjacent to arterial and collector roadways.

SCHEDULE 13.07.030B



Reallocation calculations:

Required buffer 1,000' x 30' = 30,000 square feet

Maximum reallocation 25% = 7,500 square feet

Proposed reallocated area = 3,000 square feet

Proposed reallocation is compliant

* Note: All reallocation must be approved by the Planning Director

Section 5. Renumbered Subsection 13.06.070(q), Paragraphs (2) and (3), and Schedule 13.06.070A of the Parker Municipal Code is amended as follows:

13.06.070 Landscape regulations.

* * *

(q) Site perimeter landscaping requirements.

* * *

(2) Site perimeters shall be landscaped according to the standards shown in Schedule 13.06.070**AB** below.

(3) Of the amount of trees required by Schedule 13.06.070**AB** below, a minimum of forty percent (40%) and a maximum of sixty percent (60%) of the

trees shall be evergreen to be consistent with the local ecology and provide year-round color.

SCHEDULE 13.06.070AB
Site Perimeter Landscaping Standards

* * *

Section 6. **Safety Clause.** The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 7. **Severability.** If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 8. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Planning Commission Staff Report

Planning Commission Date: 7/26/2018

Town Council Date: 8/6/2018

Hearing Type: Public Hearing
Ordinance No. 1.514
A Bill for an Ordinance Vacating a Portion of Sun Way
Located within the Plat of Parker Square – Tract C-1

Location: Southeast corner of Solar Circle and Sun Way

Project Planner: Stacey Nerger, Planner
Alex Mestdagh, Engineering Services Manager

Applicant: Gene Gregory and Sons

Executive Summary: The applicant is requesting that the Town vacate a portion of the Sun Way right-of-way (ROW) adjacent to Tract C1. If approved, the applicant would purchase the vacated ROW from the Town to improve access and parking for a future commercial development.

Staff Recommendation: Approval

RECOMMENDED MOTION

“I move the Planning Commission recommend Town Council approve the Sun Way Right-of-Way Vacation.”

ALTERNATIVE MOTIONS

“I move the Planning Commission recommend Town Council approve the Sun Way Right-of-Way Vacation, subject to the following conditions:”

-List proposed conditions

“I move the Planning Commission recommend Town Council deny the Sun Way Right-of-Way Vacation as the request does not meet the following approval criteria:”

-List criteria not met (either by staff or Planning Commission)

“I move the Planning Commission vote to continue the Sun Way Right-of-Way Vacation to a future date.”

I. BACKGROUND/DISCUSSION

Sun Way is a short non-residential local road that runs from Parker Square Drive in the north and terminates in a dead-end south of Solar Circle adjacent to the subject property. The Sun Way ROW was dedicated to Douglas County in the early 1980's with the approved plats for Parker Square and was later annexed into the Town with the surrounding land. Sun Way was extended to the southern property to provide additional access. When the property to the south developed for multi-family, Sun Way was not needed for access. Pine Drive is an existing collector road that runs parallel to Sun Way and the Town has no plans to extend or improve Sun Way. The dead-end portion of Sun Way at the subject property is not important to the public street network or local circulation and safety.



II. PRIOR ACTIONS

Date	Action
May 5, 1981	Annexed and zoned C – Commercial as part of the Town of Parker’s Original Incorporation
June 7, 2004	Rezoned to Greater Downtown District – Market Center
Current	The adjacent property owner (Tract C-1) has an application submitted to the Town to Rezone the adjacent property to Greater Downtown Market Center. The Planning Commission heard this request on July 12, 2018 and made a recommendation of approval to Town Council which will take place on

	August 6, 2018.
Current	The adjacent property owner (Tract C-1) has an application submitted to the Town to Replat the proposed vacated Sun Way ROW with Tract C-1.
Current	The adjacent property owner (Tract C-1) has an application submitted to the Town to Site Plan the property to allow for the construction of a 4,718 square-foot restaurant on the property.

III. CONCLUSION

Sun Way south of Solar Circle is partially constructed and currently terminates in a dead-end. The Town has no plans to extend or improve Sun Way, and the Pine Bluffs multifamily project to the south does not provide a connection. The proposed portion of Sun Way to be vacated only serves the property owner requesting the ROW vacation.

The Department of Engineering and Public Works has reviewed the vacation request and is supportive, subject to Town Council approval. The ROW that is vacated will ultimately be incorporated into the site plan for the proposed restaurant. If approved by Town Council, the vacancy ordinance would take effect when the Town receives payment of purchase for the vacated ROW from the developer.

IV. ATTACHMENTS

1. Ordinance No. 1.514

Report Approved By: Bryce Matthews, Planning Manager

Through: Jason Rogers, Deputy Community Development Director

ORDINANCE NO. 1.514, Series of 2018

TITLE: A BILL FOR AN ORDINANCE VACATING A PORTION OF SUN WAY LOCATED WITHIN THE PLAT OF PARKER SQUARE – TRACT C-1

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Pursuant to C.R.S. §43-2-303 and Chapter 10.12 of the Parker Municipal Code, the Town of Parker hereby vacates that portion of Sun Way right-of-way located within Parker Square – Tract C-1, recorded at Reception No. 269750 of the Douglas County Clerk and Recorder's Office and more particularly described in **Exhibit A**, which is attached hereto and incorporated by this reference. The Town further determines pursuant to Section 10.12.050 of the Parker Municipal Code that, upon the effective date of said vacation, title shall vest to the property described in Exhibit A to Gator Lounge, LLC.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This Ordinance shall become effective ten (10) days after final publication; provided that Gator Lounge, LLC, has paid the Town Thirty-Six Thousand Seven Hundred Ninety Dollars and 26 Cents (\$36,790.26).

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2018.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT A
SHEET 1 of 2

LEGAL DESCRIPTION

JUNE 19, 2018

A PARCEL OF LAND BEING A PORTION OF THE SUN WAY RIGHT-OF-WAY AS SHOWN ON THE PLAT OF PARKER SQUARE – TRACT C-1, AS RECORDED AT RECEPTION No. 269750 OF THE DOUGLAS COUNTY RECORDS. SITUATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6th PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT C-1, PARKER SQUARE- TRACT C-1, SAID POINT ALSO BEING THE INTERSECTION ON SUN WAY AND SOLAR CIRCLE;

THENCE ALONG THE EAST, SOUTH AND WEST RIGHT-OF-WAY OF SAID SUN WAY THE FOLLOWING FIVE (5):

1. ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 10°48'32", A RADIUS OF 304.57 FEET AND AN ARC LENGTH OF 57.46 FEET (CHORD BEARS SOUTH 18°55'44" WEST, 57.37 FEET) TO A POINT OF NON-TANGENT CURVE;
2. ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 05°47'42", A RADIUS OF 965.00 FEET AND AN ARC LENGTH OF 97.60 FEET (CHORD BEARS SOUTH 10°37'37" WEST, 97.56 FEET) TO THE SOUTHEAST CORNER OF SAID RIGHT-OF-WAY;
3. NORTH 82°16'22" WEST A DISTANCE OF 40.00 FEET TO THE SOUTHWEST CORNER OF SAID RIGHT-OF-WAY AND A POINT OF NON-TANGENT CURVE;
4. ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 05°47'43", A RADIUS OF 1005.00 FEET AND AN ARC LENGTH OF 101.65 FEET (CHORD BEARS NORTH 10°37'36" EAST, 101.61 FEET) TO A POINT OF NON-TANGENT CURVE;
5. ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 07°48'05", A RADIUS OF 344.57 FEET AND AN ARC LENGTH OF 46.92 FEET (CHORD BEARS NORTH 17°25'30" EAST, 46.88 FEET) TO A POINT ON THE NORTH LINE OF SAID TRACT C-1 EXTENDED WESTERLY;

THENCE NORTH 89°45'18" EAST, ALONG SAID NORTH LINE EXTENDED WESTERLY, A DISTANCE OF 43.46 FEET TO THE **POINT OF BEGINNING**.

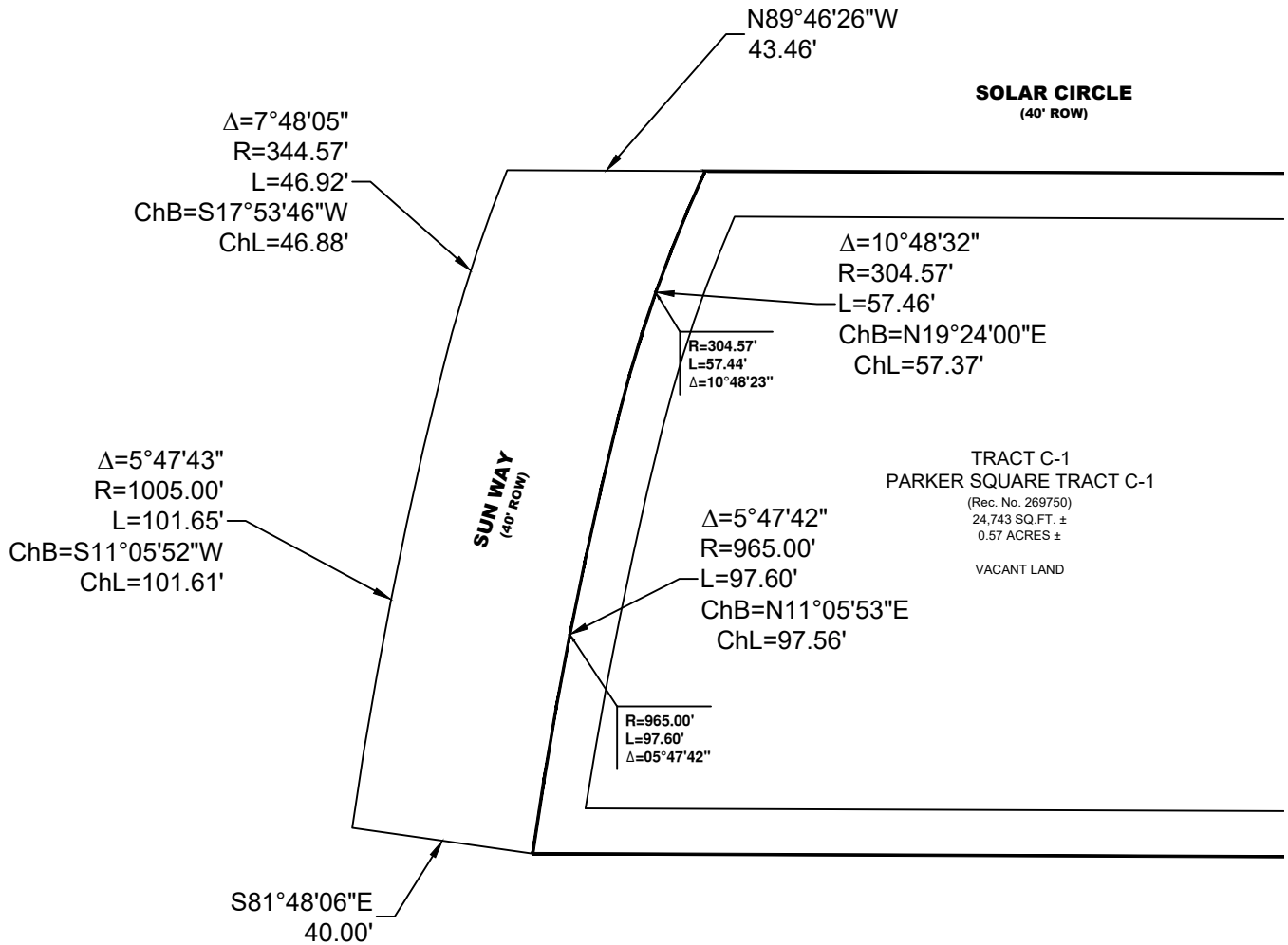
PARCEL CONTAINS 6,071 SQUARE FEET (0.14 ACRES), MORE OR LESS.

BASIS OF BEARINGS: BEARINGS FOR THIS SURVEY ARE BASED ON THE EAST LINE OF THE PLAT OF PARKER SQUARE - TRACT C-1, MONUMENTED AT EACH END BY A FOUND REBAR WITH A YELLOW PLASTIC CAP "LS 13009" AND BEARING NORTH 00°13'34" EAST.

PREPARED BY:
ALAN H. BAILEY PLS No. 38035

ON BEHALF OF
BAILEY PROFESSIONAL SOLUTIONS, LLC
5737 SOUTH KENTON STREET
ENGLEWOOD, CO 80111
303.587.1672

**EXHIBIT A
SHEET 2 OF 2**



THIS IS NOT A LAND
SURVEY PLAT AND
ONLY REPRESENTS THE
ATTACHED PARCEL
DESCRIPTION.



0 30 60 120

SCALE:	1"=60'
PROJECT:	ROTH-18-01
DRAWING FILE:	ROW VACATION.DWG
DATE:	JULY 2. 2018
DRAWN:	AHB
CHECKED:	AHB

bps

**BAILEY
PROFESSIONAL
SOLUTIONS**

BAILEY PROFESSIONAL SOLUTIONS, LLC
5737 SOUTH KENTON STREET ENGLEWOOD, CO 80111
303.587.1672 BAILEYPROFESSIONALSOLUTIONS.COM



Planning Commission Staff Report

Planning Commission Date: 7/26/2018

Town Council Date: 8/20/2018

Hearing Type: Public Hearing
PARKER POINTE - Zoning
TRAKiT No.: Z17-024

Location: Southeast corner of Parker Road and Stroh Road

Project Planner: Paul Workman, Senior Planner

Applicant: Parker & Stroh, LLC

Executive Summary: The applicant is requesting the subject property be zoned Modified Commercial and Open Space.

Staff Recommendation: Approval with Conditions

RECOMMENDED MOTION

"I move the Planning Commission recommend Town Council approve the zoning request."

ALTERNATIVE MOTIONS

"I move the Planning Commission recommend Town Council approve the zoning request, subject to the following conditions:"

"I move the Planning Commission recommend Town Council deny the zoning request as the request does not meet the following approval criteria:"

-List criteria not met (either by staff or Planning Commission)

"I move the Planning Commission vote to continue the zoning request to a future date."

I. BACKGROUND/DISCUSSION

The request for zoning is being processed concurrently with an application to annex the subject property (ANX17-008) and an application to plat the property (SUB17-058). In accordance with the Town's requirements, the applicant has submitted this zoning application in order to give the property a Town of Parker zoning designation. The applicant is requesting that the subject property be zoned from Douglas County Unincorporated to Modified Commercial with a small portion on the south side of the site to be designated as open space to accommodate existing floodplain and Preble's Jumping Mouse habitat. Currently, the property has an abandoned single-family home and several older structures that are in various levels of disrepair that were once used for farming and/or ranching. The existing structures will be removed as part of the development of the property and the applicant has provided an historic analysis of the structures in accordance with Town regulations. Planning Commission will hear the request to plat the property at a future hearing date.

Vicinity Map



II. PRIOR ACTIONS

Date	Action
N/A	None

III. CURRENT SITE DATA

Existing Zoning	Douglas County A1 – Agricultural One		
Overlay District	N/A		
PD & Plan Area	N/A		
Master Plan Area	Community Center		
Site Acreage	14.66 +/- acres		
Subdivision	Parker Pointe Subdivision Filing No. 1 (proposed)		
Existing Use	Vacant single-family home and accessory structures.		
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Community Center	PD - Planned Development	Undeveloped commercial pad sites
South	Douglas County	Douglas County Zoning	Kinney Creek and undeveloped property
East	Douglas County	Douglas County Zoning	Colorado Golf Club
West	Community Center	PD - Planned Development	Parker Road and commercial pad sites

IV. PARKER 2035 MASTER PLAN

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

MASTER PLAN CONSISTENCY	
Master Plan Designation	Community Center ☒ Consistent ☐ Inconsistent
Master Plan Character Discussion	Larger than Neighborhood Centers, Community Centers have a greater market area, serving multiple neighborhoods. Typical uses include retail and personal/business services. Other compatible uses such as small offices, recreational and restaurants are also permitted. The total Gross Leasable Area for the commercial/office components within an entire Community Center should range from a combined 250,000 to 500,000 square feet.
Consistent Goals/Strategies	Land Use 1.C Land Use 1.G Community Appearance and Design 1.D Jobs and Economic Vitality 2 Natural Resource Protection 1.A Natural Resource Protection 2
Inconsistent Goals/Strategies	None
Staff Analysis	Staff has reviewed the requested zoning against the Town's Master Plan and has determined that the

	property is located within the Town's Parker 2035 Master Plan area and that the proposed commercial uses are consistent with the Community Center designation as well as the identified goals and strategies. Additionally, the request for Open Space zoning is consistent with the existing floodplain and Preble's Jumping Mouse habitat.
--	--

V. LAND DEVELOPMENT ORDINANCE

DEVELOPMENT POTENTIAL (Rezoning)			
Provisions	As recommended by the Master Plan	Proposed	Analysis
Units Per Acre	High density residential as part of a mixed-use development is appropriate.	N/A. No residential development is proposed.	☐ Consistent ☐ Inconsistent ☐ No Change ☒ N/A
Allowed Uses	Primarily retail and personal/business services. Additionally, small offices, recreation and restaurants.	Modified Commercial with restrictions on uses at the corner of Parker Road and Stroh Road.	☒ Consistent ☐ Inconsistent ☐ No Change
Height/Stories	No height/story recommendations in the Master Plan.	Maximum building height of 35-feet per the "C-Commercial District".	☒ Consistent ☐ Inconsistent ☐ No Change
Staff Analysis	Staff has reviewed the request to zone the property as Modified Commercial and Open Space and determined that the request is consistent with the development potential recommended by the Master Plan.		

VI. DESIGN REVIEW

The request is for zoning of the subject property. Therefore, design review is not a part of this request.

VII. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

The subject property will have one right-in and right-out access from Parker Road near the center of the subject property. Additionally, the site will be served by one right-in and right-out access off Stroh Road and a full-movement access from a lighted intersection to the east of the subject property via an access easement negotiated between the applicant and that property owner. Internal to the site, the applicant will be dedicating an access easement that will serve all future lots within the development. The applicant will be making improvements to both Parker Road and Stroh Road to ensure access meets the Colorado Department of Transportation (CDOT) and Town of Parker requirements, respectively. An eight-foot wide sidewalk will be constructed along Parker Road and a five-foot wide sidewalk will be constructed along Stroh Road as a part of the development of the property.

VIII. APPROVAL CRITERIA

Title 13.04.240.f. Approval Considerations for Rezoning Requests:

1. A need exists for the proposal.

Applicant's Response:

There are a limited number of commercial users within the Parker Pointe area. Across the street on Parker Road is a service station (Valero Oil), Chase Bank and Walgreen Drug. On the northwest corner of Parker Road & Stroh Road is a King Soopers shopping center with the typical tenants located within the center and one drive-through hamburger restaurant.

Our development will have ENT Credit Union on the corner of the project with access from all four directions. Our convenience store that sells gas has the same amenities as the Credit Union (access from all four directions and main entrance location). We have no hamburger user. We have a coffee user that will be new to the area and to the State of Colorado. We hope to attract many different users that might have the same kind of product. This is called competition. The buying public likes to have choices. You will notice that many users will go next to each other with the same product. The buying public will go to a location to purchase a product and discover they have a choice of users which they like.

We believe we are not in competition with the major shopping center located at Twenty Mile Rd. and there is little retail at Hess Road. We do not know what is going in at the NEC of Parker and Stroh Rd. There is little if any commercial to the south and east of Parker Pointe (granted there will be additional retail development after our project is built. Decision on those projects will have to be made at that time).

Based on the interest in our site, it is our opinion that there is room for much more retail commercial use in the area. With the area growing at the pace it is now, we believe that it is under-retailed.

Staff Analysis:

The most significant need is that the applicant has petitioned the Town to annex the subject property. Per the Town's requirements, the Town is required to zone all annexed property with a Town of Parker zoning designation.

In order to provide options for the Town of Parker's growing population, additional commercial development opportunities are necessary within the Town. Additionally, it is necessary to preserve the floodplain and Preble's Jumping Mouse habitat. Therefore, the Modified Commercial and Open Space designations are necessary.

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's Response:

The configuration of the site dictates the use. The site is long along Parker Road (1,420 feet) and only 453 feet along Stroh Road.

The site does not have the depth for a shopping center such as King Soopers across the street. Industrial use and apartment development is not suited for the site. What we have planned is a well-designed site that gives single users the ability to have good access for in and out traffic. The spacing of buildings on each lot to the west side of our main road down the center of our project will give lot owners to the east of the main road good visibility from Parker Rd. A lot of time and study went into the size and configuration of each lot to accomplish a well-designed project. The use we have proposed is the correct use for this site. It is a development that will not lose its desirability for years to come.

Staff Analysis:

The subject property is located at the intersection of a Colorado State Highway (Parker Road) and an arterial road (Stroh Road). These roadways and intersections are designed to carry large volumes of traffic and lend themselves to having commercial uses adjacent to them. Additionally, the Town Master Plan identifies this intersection as a Commercial Center, which recommends commercial development at this intersection. The floodplain and Preble's Jumping Mouse habitat currently exists, which makes that area appropriate for the Open Space zoning.

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

3. There has been an error in the original zoning; or

Applicant's Response:

N/A

Staff Analysis:

N/A

4. There have been significant changes in the area to warrant a zone change.

Applicant's Response:

This application is in conjunction with annexation. Therefore no Town zoning presently exists on the property. It is a well located parcel of land that different users and users who are looking for a second location to fill the needs of a growing community. With the development of the housing market in the area, and the Colorado Gold Club only 25% built out this is a well situated location for commercial development. The fact that the interest we have from users demonstrates the need for such a development.

Staff Analysis:

The most significant change is that the applicant has petitioned the Town to annex the subject property. Per the Town's requirements, the Town is required to zone all annexed property with a Town of Parker zoning designation.

Furthermore, the population of the Town of Parker and Douglas County to the south of Town has grown significantly and will continue to grow in the future. The ongoing population growth has created a demand for additional commercial services.

The applicant is proposing to develop the subject property, which is a change from the current status of the property and presents an opportunity to dedicate and zone the floodplain and Preble's Jumping Mouse habitat to protect this area.

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's Response:

The site's immediate proximity to Parker Road and Stroh Road provides adequate access and movement to and from the site. Improvements will be made to both Parker Road and Stroh Road to accommodate the new development. A traffic study was conducted for the project and the following infrastructure improvements will be accomplished:

- Deceleration and right turn lane construction on Parker Road along the property frontage.
- Additional left turn bay on Parker Road south bound to Stroh Road east bound.
- Additional lane on Stroh Road with pavement shifted to align with feeding lanes west of Parker Road.
- New right in right out access on Parker Road and Stroh Road.
- New full movement access on Stroh Road east of the subject property.

Staff Analysis:

As detailed in Section VII of this staff report, staff has evaluated the site circulation and traffic movements and determined that this development provides adequate access and 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's Response:

Infrastructure improvement costs will be borne by the developer. The costs for new demands on emergency services will be mitigated by sales tax revenues generated from the new businesses. The modified commercial zoning will not impact school, parks, or library demands. Additionally, this property is within the Town's Growth Boundary which means the Town is prepared to meet additional municipal service costs.

Staff Analysis:

There are no additional municipal service costs associated with this request that the Town is not prepared to meet.

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

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

Applicant's Response:

There are floodplain and mouse habitat areas along the south portion of the site. This area will be protected from, and excluded from the development area. Permanent tracts will be created and dedicated to the Town for ongoing preservation.

An active raptor nest has been observed in one of the cottonwood trees along the east property line.

The nest has been observed by our environmental consultant and recommendation made to avoid construction activity while the nest is in active use. The developer will comply with this requirement and delay construction until baby birds have left the nest.

An existing stand of large cottonwoods are present along the south property line near Kinney Creek. Approximately half of these trees will be protected and preserved as defined on the tree preservation plan. The removal of these trees is most impactful to the adjacent open space property to the east. To mitigate the adverse effect of the removals, the developer will voluntarily plant 35 Ponderosa Pines between 25' and 35' in height in a location on Open Space property to achieve the best impact for the Open Space. Value of trees removed in excess of the newly planted Ponderosa Pines off site shall be paid fee in-lieu.

Staff Analysis:

Staff has reviewed the request and determined that the environmental impacts have been mitigated to the extent possible. The applicant will be dedicating the floodplain and Preble's Jumping Mouse habitat to the Town and the requested zoning for this area is Open Space. The applicant will be required to perform construction activities in a manner that are consistent with the recommendations of their environmental consultant related to the observed hawk's nest. Finally, the applicant will be preserving the existing cottonwood trees on the south side of the property, which are not impacted by the necessary access easement. In order to off-set the impacts of the trees that will be removed, the applicant is planting significant trees to the east of the subject property and will also be required to pay a tree mitigation fee in accordance with the Town's Land Development Ordinance.

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's Response:

The Parker 2035 Master Plan General Land Use Plan identifies the area as a Community Center. The Community Center is defined as follows:

"Community Centers are areas that are larger than Neighborhood Centers and have a larger market area, serving multiple neighborhoods. Typical uses within Community Centers include retail and personal/business services. Other compatible uses such as small offices, recreational and restaurants are also permitted."

Proposed uses include banks, general retail, restaurant, and other businesses providing services to the public as outlined above.

Staff Analysis:

As detailed in Section IV of this staff report, staff has evaluated the request against the Master Plan and determined that this request is consistent with the Town Master Plan.

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's Response:

The property has been included into the Parker Water and Sanitation District to provide water and sewer services to the property. School, parks and recreation impacts are minimal as commercial zoning is proposed. School and park and recreation facilities are generally required for residential, not commercial uses. Tracts of land are dedicated to the public for future trail system along Kinney Creek as well as to preserve environmentally sensitive areas. The tracts will preserve the floodplain and mouse habitat areas. Connections to the future Kinney Creek trail system may occur along Parker Road right-of-way, dropping down into Kinney Creek near the culvert and / or along the west side of the detention pond thence up into the development site where grades are more gradual. The developer will provide a "fair share" financial contribution to the trail improvements.

Staff Analysis:

During the review of the request, Town staff in coordination with the appropriate review agencies, determined that there are adequate services to accommodate the requested Modified Commercial and Open Space zoning.

IX. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
Parker Engineering	Approved
Fire Life Safety	Approved
Parker Water and Sanitation District	Approved
Xcel	Advisory comments
IREA	No comment
CenturyLink	No comment

X. CONCLUSION

Staff and the applicable referral agencies have reviewed the applicant's request to zone the subject property. This review included staff's evaluation of the request against the Town's Master Plan and zoning criteria. After performing this analysis, staff has determined that the request meets the requirements of the Town to zone the property Modified Commercial zoning and an Open Space zoning in coordination with the applicant's request to annex the subject property.

XI. RECOMMENDED CONDITIONS

None

XII. ATTACHMENTS

1. Rezoning Map
2. Applicant Zoning Approval Analysis
3. Project Narrative

Report Approved By: Bryce Matthews, Planning Manager

Through: Jason Rogers, Deputy Community Development Director



6901 South Pierce Street, Suite 315 Littleton, Colorado 80128 Voice 303-232-8088

June 18, 2018

Paul Workman
Senior Planner
Town of Parker Community Development Department
20120 E. Mainstreet
Parker, CO 80138-7335

RE: Z17-024 Analysis of the Nine Approval Criteria for Rezoning

Dear Mr. Workman,

Outlined below are the nine approval criteria along with response to each item.

1. A need exists for the proposal;

There are a limited number of commercial users within the Parker Pointe area: Across the street on Parker Rd. is a service station (Valero Oil), Chase Bank and Walgreen Drug. On the northwest corner of Parker & Stroh Rd. is a King Soopers shopping center with the typical tenants located within the center and one drive-through hamburger restaurant.

Our development will have ENT Credit Union on the corner of the project with access from all four directions. Our convenience store that sells gas has the same amenities as the Credit Union (access from all four directions and main entrance location). We have no hamburger user. We have a coffee user that will be new to the area and to the State of Colorado. We hope to attract many different users that might have the same kind of product. This is called competition. The buying public likes to have choices. You will notice that many users will go next to each other with the same product. The buying public will go to a location to purchase a product and discover they have a choice of users which they like.

We believe we are not in competition with the major shopping center located at Twenty Mile Rd. and there is little retail at Hess Road. We do not know what is going in at the NEC of Parker and Stroh Rd. There is little if any commercial to the south and east of Parker Pointe. (granted there will be additional retail development after our project is built. Decision on those projects will have to be made at that time.)

Based on the interest in our site, it is our opinion that there is room for much more retail commercial use in the area. With the area growing at the pace it is now, we believe that it is under-retailed.

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

The configuration of the site dictates the use. The site is long along Parker Rd. (1,420 ft.) and only 453 ft. along Stroh Rd. The site does not have the depth for a shopping center such as King Soopers across the street. Industrial use and apartment development is not suited for the site. What we have planned is a

well-designed site that gives single users the ability to have good access for in and out traffic. The spacing of buildings on each lot to the west side of our main road down the center of our project will give lot owners to the east of the main road good visibility from Parker Rd. A lot of time and study went into the size and configuration of each lot to accomplish a well-designed project. The use we have proposed is the correct use for this site. It is a development that will not lose its desirability for years to come.

3. There has been an error in the original zoning;

N/A

4. There have been significant changes in the area to warrant a zone change;

This application is in conjunction with annexation. Therefore no Town zoning presently exists on the property. It is a well located parcel of land that different users and users who are looking for a second location to fill the needs of a growing community. With the development of the housing market in the area, and the Colorado Gold Club only 25% built out this is a well situated location for commercial development. The fact that the interest we have from users demonstrates the need for such a development.

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

The site's immediate proximity to Parker Road and Stroh Road provides adequate access and movement to and from the site. Improvements will be made to both Parker Road and Stroh Road to accommodate the new development. A traffic study was conducted for the project and the following infrastructure improvements will be accomplished:

- Decel and right turn lane construction on Parker Road along the property frontage.
- Additional left turn bay on Parker Road south bound to Stroh Road east bound.
- Additional lane on Stroh Road with pavement shifted to align with feeding lanes west of Parker Road.
- New right in right out access on Parker Road and Stroh Road.
- New full movement access on Stroh Road east of the subject property.

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

Infrastructure improvement costs will be born by the developer. The costs for new demands on emergency services will be mitigated by sales tax revenues generated from the new businesses. The modified commercial zoning will not impact school, parks, or library demands. Additionally, this property is within the Town's Growth Boundary which means the Town is prepared to meet additional municipal service costs.

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

There are flood plain and mouse habitat areas along the south portion of the site. This area will be protected from, and excluded from the development area. Permanent tracts will be created and dedicated to the Town for ongoing preservation.

An active raptor nest has been observed in one of the cottonwood trees along the east property line. The nest has been observed by our environmental consultant and recommendation made to avoid construction activity while the nest is in active use. The developer will comply with this requirement and delay construction until baby birds have left the nest.

An existing stand of large cottonwoods are present along the east and south property line near Kinney Creek. Approximately half of these trees will be protected and preserved as defined on the tree preservation plan. The removal of these trees is most impactful to the adjacent open space property to the east. To mitigate the adverse effect of the removals, the developer will voluntarily plant 35 Ponderosa Pines at 25' to 30' tall in a location on Open Space property to achieve the best impact for the Open Space. Value of trees removed in excess of the newly planted Ponderosa Pines off site shall be paid fee in-lieu.

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

The Parker 2035 Master Plan General Land Use Plan identifies the area as a Community Center. The Community Center is defined as follows:

“Community Centers are areas that are larger than Neighborhood Centers and have a larger market area, serving multiple neighborhoods. Typical uses within Community Centers include retail and personal/business services. Other compatible uses such as small offices, recreational and restaurants are also permitted.”

Proposed uses include banks, general retail, restaurant, and other businesses providing services to the public as outlined above.

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.

The subject property has been included into the Parker Water and Sanitation District to provide water and sewer services to the property. School, parks and recreation impacts are minimal as commercial zoning is proposed. School and park and recreation facilities are generally required for residential, not commercial uses. Tracts of land are dedicated to the public for future trail system along Kinney Creek as well as to preserve environmentally sensitive areas. The tracts will preserve the floodplain and mouse habitat areas. Connections to the future Kinney Creek trail system may occur along Parker Road right-of-way, dropping down into Kinney Creek near the culvert and / or along the west side of the detention pond thence up into the development site where grades are more gradual. The developer will provide a “fair share” financial contribution to the trail improvements.



June 13, 2018

Paul Workman
Senior Planner
Community Development
Town of Parker
20120 E. Main Street
Parker, CO 80138

Dear Mr. Workman;

Annexation, Rezone, Site Plan, and Final Plat Description for Parker Pointe

These applications for an **Annexation, Rezone, Site Plans, and Final Plat** are for the commercial development of a 14.66 acres parcel, located on the southeast corner of S. Parker Road and E. Stroh Road.

Town of Parker boundary is adjacent to the west and north. Directly across Parker Road to the west is Walgreens, Chase Bank and Valero gas, zoned (PD) Planned Development, Subdivision Reata West. To the North-west is the King Soopers center and is also zoned (PD) Planned Development, as part of Stroh Ranch. To the north is a commercial corner with residential directly to its east, within the Town of Parker and zoned (PD) and is currently under construction. The properties to the east and south are zoned (PD) Planned Development in unincorporated Douglas County. Property to the east falls inside the Parker UGA Overlay District. Properties to the east and south are vacant, with the Colorado Club further east.

The subject property slopes up, to the east with some elevations as much as 40 feet above Parker Road. This property currently has two zoning designations on it. One zone being (A1) Agricultural One and the second being Residential. A single-family structure is located on the property. The applicant is seeking a Modified Commercial District zone designation within the Town of Parker upon the annexation approval. At this time, two of the fifteen-lots are determined to be retail buildings. Users for these two retail buildings have not been signed but are anticipated to be typical neighborhood retail services. Users that are showing interest in this development are fast-food, hotel, daycare, possibly a convenience store and auto service. This commercial zone request is in keeping with the adjacent uses to the west, north and northwest.

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This development will have a right-in right-out on Parker Road. In addition to the Parker road access a full movement access on Stroh Road is being proposed to align with the development currently under construction, 670 feet to the east of the Parker road intersection. 1200 feet to east is access to Colorado Club golf club. Stroh Rd ends one mile east of Parker Road.

The property has designated 2 Tracts along the south property line to be dedicated to the Town. They contain floodplain and mouse habitat which is not being disturbed. The property will be served by Parker Water & San, IREA, Xcel, Century Link, Comcast and Parker Fire Department.

The landscape architecture design will follow the Town of Parker's standards and development design standards unique to this property. This development will incorporate low water, xeric-scape designs. The mature cottonwood trees on the east and south property lines will remain where possible.

These applications are being submitted concurrently. Additional submittal documents to these applications are being submitted with this initial submittal, such as a material sample board, soils report, traffic report, civil reports and construction plans, landscape plans, Final plat, architectural exterior building elevations, legal description, cost estimates, subdivision agreement, and title commitment.

We thank you for your review and favorable recommendation to the Planning Commission and City Council.

Sincerely,

A handwritten signature in blue ink that reads "Kristin Albers". The signature is fluid and cursive, with the first name "Kristin" and last name "Albers" clearly distinguishable.

Kristin Albers
Ireland Dean Designs, LLC