



**PLANNING COMMISSION
MEETING: 7:00 p.m.**

**Prior to Planning Commission Meeting:
Parks and Recreation/Planning
Workshop 5:30 p.m.**

February 25, 2016

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. ADDITIONS TO OR DELETIONS FROM THE AGENDA**
- 5. APPROVAL OF MINUTES**
 - A. January 28, 2016 Minutes
 - B. February 11, 2016 Minutes
- 6. CONSENT AGENDA**
- 7. PUBLIC HEARING: ROBINSON RANCH FILING 2 AMENDMENT 3 LOT 1B**

- Use by Special Review
Applicant: Cadence Capital Investments LLC – Kay Stallworthy
Location: 12340 Parker Road
Planner: Carolyn Parkinson
- 8. STAFF ITEMS**
- 9. ADJOURNMENT**



PLANNING COMMISSION MINUTES
January 28, 2016

Vice Chair John Howe seated for the absent Chair Gary Poole called the meeting to order at 7:00 p.m.

Commissioner Robert Moffitt led the Planning Commission and audience in the Pledge of Allegiance.

Also, present was Commissioner Sasha Levy. Alternates Robert Moffitt and Eliana Burke were present and sat for the absent Commissioners Duane Hopkins and Brent Bitz. Alternate Kathleen Thayer was absent.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

APPROVAL OF MINUTES

Commissioner Sasha Levy moved to approve the January 14, 2016 minutes. Commissioner Robert Moffitt seconded; a vote was taken and split 2:0:2.

Vice Chair John Howe called for a motion to continue approval of the January 14, 2016 minutes to the February 11, 2016 meeting due to the split vote.

Commissioner Robert Moffitt moved to continue the approval of the January 14, 2016 minutes to February 11, 2016. Commissioner Sasha Levy seconded; a vote was taken and passed 4:0.

CONSENT AGENDA

None

Prior to the opening of the public hearing, Commissioner Sasha Levy shared that she may have a conflict of interest as she lives on Flagler Drive in the Clarke Farms neighborhood and asked if the Planning Commission agreed.

Commissioner John Howe moved that Commissioner Sasha Levy has a conflict of interest and that she recuse herself from the public hearing. Commissioner Robert Moffitt seconded; a vote was taken and passed 3:0.

Commissioner Sasha Levy left Council Chambers.

**PUBLIC HEARING: OPENED: 7:04 P.M. CLARKE FARMS FILING 5B LOT 31
GROUP RESIDENTIAL FACILITY – Conditional Use**

Applicant: Teddi Samuel MA, SLP Colorado
Location: 10706 Flagler Drive
Department: Community Development, Carolyn Parkinson

James S. Maloney, Town Attorney, presented the local, state (Colorado Fair Housing Act - CFHA) and federal (Federal Housing Act - FHA) legal standards for Group Homes (GHs). He said GHs are considered a conditional use governed by ordinance for all of the Town of Parker including Planned Developments (PD) in the Town. He advised the Town of Parker's Land Development Ordinance allows Group Residential Facilities (GRFs) to provide a community living environment for no more than eight adults that require custodial care, medical treatment or specialized social services. He stated that failure to accommodate persons with disabilities occupying a single-family dwelling similar to a traditional family in a single-family dwelling may constitute discrimination under the FHA and CFHA. The FHA does allow the Town to require a conditional use review for GRFs. He advised the Planning Commission will make a recommendation to Town Council for the public hearing on February 1, 2016.

The Commissioners had no questions for Mr. Maloney.

Carolyn Parkinson, Planner, advised two homeowners' letters regarding the GRF received after publication of the meeting packets were placed before them. She then presented the staff report for the Group Residential Facility – Conditional Use request. Ms. Parkinson concluded with the determinations in staff's report and recommended the Planning Commission recommend the Town Council approve the Conditional Use for SLP Colorado Group Residential Facility as conditioned in staff's report.

Vice Chair John Howe asked if the eight adults living in the GRF included staff.

Ms. Parkinson said the eight adults comprise individuals with traumatic brain injury in addition to the one to two staff members.

APPLICANT PRESENTATION

Teddi Samuel MA, SLP Colorado, introduced Lisa Birabent, 10706 Flagler Drive. Ms. B made a statement regarding her traumatic brain injury struggles and the benefits of a normal versus institutional living environment toward successful recovery.

The Commissioners had no questions for Ms. Birabent.

PUBLIC COMMENT OPENED

The following citizens expressed concerns regarding decreased property values, increased traffic, increased parking needs, impacts on mail delivery, whom to contact if conditions are violated, and whom to contact for testimonial comments from existing neighborhoods with GRFs:

- Greg Greenlee, 10718 Flagler Drive; (Mr. Greenlee recognized Ms. Parkinson and Rosemary Sietsema, staff Planning Commission Liaison for the exemplary manner in which they provided all his requested information and congratulated the Planning Commission for having them as staff.)
- Marji Randall, 10708 Flagler Drive
- Kim Coday, 10701 Flagler Drive

PUBLIC COMMENT CLOSED

Vice Chair John Howe asked the applicant to address the citizens' concerns.

Teddi Samuel, 1372 Pine Ridge Court, Castle Pines introduced her partner Jason Marcotte, 2380 S Gilpin Street, Denver who thanked the Planning Commission and the residents for their comments.

Mr. Marcotte said the GRF was established as an LLC with Teddi in a partnership. He said they looked at many homes and liked the home on Flagler for their new business as an opportunity to provide a home for those with traumatic brain injuries.

Ms. Samuel thanked the Town and specifically Carolyn for the assistance in working through the Conditional Use process. She said she has been developing GRFs for 34 years. She said she has met with many of the neighbors and met some of their concerns. She said it is important to meet all the expectations when GRFs move into a neighborhood. She assured the neighbors:

- traffic will be below normal residential neighborhood traffic
- staff vehicles will be parked in the garage
- visitors and professional support staff will be parked in the driveway
- the home occupants don't have many visitors
- the program supports integration into the neighborhood
- will give email and phone number to the neighborhood to address concerns as they arise
- the goal is to fit-in and be good neighbors
- she is able to provide contact information for other GRFs to access testimonial comments from residents in those neighborhoods

Mr. Marcotte said they would also be willing to assist in maintaining landscaping and trails should there be a need.

**PUBLIC HEARING: CLOSED: 7:49 P.M. CLARKE FARMS FILING 5B LOT 31
GROUP RESIDENTIAL FACILITY – Conditional Use**

PLANNING COMMISSION DISCUSSION

Commissioner Robert Moffitt said he certainly understands the concerns with the unknowns as this is new for the neighborhood. He said it appears that if the required criteria are met there should be little impact from a nuisance or valuation standpoint on the surrounding neighborhood.

Commissioner Eliana Burke said it shouldn't make a huge impact if all the criteria are met. She said there will be annual reviews to ensure the criteria continue to be met; so there should not be a negative impact.

Vice Chair John Howe said he concurred. He said he feels the nine conditions for approval will be an asset to ensure the program is well monitored. He said he is aware that staff does continue to check on these type operations to ensure compliance. He said he sees this request moving forward.

Commissioner Robert Moffitt moved that the Planning Commission recommend the Town Council approve the Conditional Use request for the SLP Colorado Group Residential Facility at 10706 Flagler Drive subject to the nine conditions contained in staff's report. Commissioner Eliana Burke seconded; a vote was taken and passed 3:0.

PLANNING COMMISSION ITEMS

None

STAFF ITEMS

None

ADJOURNMENT

The meeting was adjourned at 7:52 p.m.

Rosemary Sietsema
Recording Secretary

Gary Poole
Chair



**PLANNING COMMISSION MINUTES
February 11, 2016**

Chair Gary Poole called the meeting to order at 7:04 p.m.

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

Also, present was Commissioner Brent Bitz. Alternates Eliana Burke and Kathleen Thayer were present and sat for the absent Commissioners Duane Hopkins and Sasha Levy. Alternate Robert Moffitt was absent.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

Steve Greer, Deputy Community Development Director requested agenda item eight be heard prior to item seven.

The Planning Commission agreed to reverse hearing items seven and eight.

APPROVAL OF MINUTES

Commissioner John Howe moved to approve the January 14, 2016 minutes. Commissioner Brent Bitz seconded; a vote was taken and passed 3:0:2 with Commissioner Eliana Burke abstaining due to being absent from the January 14, 2016 meeting and Commissioner Kathleen Thayer abstaining due to not having been seated for the January 14, 2016 meeting.

Commissioner John Howe moved to approve the January 28, 2016. Commissioner Eliana Burke seconded; the vote was 2:0:3 and Chair Gary Poole called to continue approval of the January 28, 2016 minutes to the February 25, 2016 meeting.

CONSENT AGENDA

None

**PUBLIC HEARING: OPENED: 7:07 P.M. A RESOLUTION TO ADOPT AN
UPDATE OF THE PARKER 2035 MASTER PLAN**

Applicant: Town of Parker
Location: Town wide
Planner: Bryce Matthews

Bryce Matthews, Comprehensive Planning Manager, presented the staff report for the update of the Parker 2035 Master Plan. Mr. Matthews concluded with the determinations in staff's report and recommended the Planning Commission recommend the Town Council adopt the update of the Parker 2035 Master Plan.

Commissioner John Howe asked staff if there have been conversations between the Town and Douglas County regarding storage to serve their needs.

Mr. Matthews said there have been conversations on specific storage projects in progress but none regarding the update to the Master Plan; Douglas County received a referral request for the update but provided no comments.

APPLICANT PRESENTATION

Town item; staff presentation only

PUBLIC COMMENT OPENED

The following members of the public spoke concerning the potential for losing their businesses; reduced ability to attract businesses to the Town; adverse economic and employment impacts; potential sales limitation of existing properties based on allowed uses; government over-reach by limiting what can be built in the Town; lack of comprehensive noticing to affected businesses; and the need for additional time to reword the ordinance with consideration to balance the needs of the Town and business owners:

- Carl Ellis, 6485 N Pinewood Drive
- Dan Wright, 5175 Raintree Drive
- Chris Dominy, 9856 Motsenbocker
- Scott Wright, 12065 S Majestic Pine Way

PUBLIC COMMENT CLOSED

PUBLIC HEARING: CLOSED: 7:36 P.M. A RESOLUTION TO ADOPT AN UPDATE OF THE PARKER 2035 MASTER PLAN

Commissioners discussed with staff:

- if this update will affect existing businesses or only future businesses; (*Staff said as stated in the regulatory ordinance, existing businesses operating as permitted within zoning regulations will be allowed as legal non-conforming and if the business is not in compliance with the current zoning it would not be allowed to continue operations; new applications will be required to meet conditions within the new ordinance.*)
- what will happen to applicants currently in the process for business site plan approval; (*Staff said the current ordinance allows applications excluded from the suspension and in process prior to April 6, 2016 to continue forward for approval. He said no applications will be accepted for processing after April 6, 2016.*)
- a clarification on the proposed storage limit of not more than 25 percent accessory use; (*Staff said the proposed ordinance change says that storage cannot be the primary use. He said that the 25 percent accessory use is preceded by the word "generally" to allow for consideration to specific business types.*)
- the limit applies to future businesses not existing business; (*Staff said current businesses can legally continue as they do today.*)

- what is the process for a business to be granted greater than the 25 percent accessory use; (*Staff said the business would go through the site plan process which requires administrative approval.*)

PLANNING COMMISSION DISCUSSION

Commissioner John Howe said he believed Mr. Matthews had addressed many of the covered business concerns. He said there will be additional clarification from the next hearing and he supports the update to the Master Plan.

Commissioner Kathleen Thayer said she can support the update to the Master Plan since existing businesses will not be affected by the changes in the ordinance.

Commissioner Eliana Burke said she fully supports the update.

Commissioner Brent Bitz said he understands the purpose of limiting primarily storage facilities in Town. He said he is concerned with what may happen to the existing businesses and their uses; is confident that the Town will work to allow them to continue operating; and he supports the update.

Chair Gary Poole said he concurred. He said many of the concerns have been addressed and options will be presented in the next hearing on development of future properties.

Commissioner John Howe moved that the Planning Commission recommend the Town Council adopt the Update of the Parker 2035 Master Plan. Commissioner Eliana Burke seconded; a vote was taken and passed 5:0.

PUBLIC MEETING: OPENED: 7:39 P.M. A BILL FOR AN ORDINANCE TO AMEND SECTIONS 13.02.010, 13.04.100(c), 13.04.130(a), 13.04.130(c), 13.04.160(c), AND 13.04.170 OF THE PARKER MUNICIPAL CODE, AND CHAPTER 13.04 OF THE PARKER MUNICIPAL CODE IS HEREBY AMENDED BY THE ADDITION THERETO OF A NEW SECTION 13.04.300, AND TO REPEAL PARAGRAPHS 13.04.120(d)(7), 13.04.130(c)(21), 13.04.130(e)(5), SECTION 13.04.140, PARAGRAPHS 13.04.160(d)(3), 13.04.160(d)(5) AND SECTION 13.10.050 OF THE PARKER MUNICIPAL CODE, CONCERNING STORAGE USES IN THE TOWN OF PARKER

Applicant: Town of Parker
 Location: Town wide
 Planner: Bryce Matthews

Bryce Matthews, Comprehensive Planning Manager, presented the staff report for the ordinance concerning storage uses in the Town of the Parker. Mr. Matthews concluded with the determinations in staff's report and recommended the Planning Commission recommend the Town Council approve the ordinance amending the Land Development Ordinance regarding storage.

The Commissioner John Howe asked staff the number of self storage facilities currently under construction.

Mr. Matthews said there are two self storage facilities under construction within the Town. He said there is limited vacant Light Industrial zoned land within the Town which generated the concern to suspend self storage as an allowed use and limit storage as an accessory use to generally 25 percent.

APPLICANT PRESENTATION

Town item; staff presentation only

PUBLIC COMMENT OPENED

The following members of the public spoke concerning the inability to grow their business; indoor and outdoor storage limit of 25 percent accessory storage prohibits some businesses; request for Town assistance in identifying types of acceptable businesses to bring to Town; potential for loss of employment in the Town; no other location for these type of businesses in the Town; a need for planned development in a holistic environment; and property owners are passionate for the uses on Light Industrial land that rely on outdoor storage which should be considered and not restricted:

- Carl Ellis, 6485 N Pinewood Drive
- Dan Wright, 5175 Raintree Drive
- Scott Wright, 12065 S Majestic Pine Way
- Mitch Trevey, 10510 Dransfeldt Road, Suite 100

PUBLIC COMMENT CLOSED

Mr. Matthews clarified that storage is allowed as long as it is accessory to a primary use. He said the 25 percent limit is worded as generally with the understanding that the storage use may vary to allow flexibility. He explained what is allowed for non-conforming uses from the ordinance.

Commissioner John Howe asked staff what the Town would consider to address Mr. Ellis's concern with growing his towing business. Mr. Matthews said that concern would be addressed administratively to determine the legal use.

PUBLIC MEETING: CLOSED: 8:01 P.M. A BILL FOR AN ORDINANCE TO AMEND SECTIONS 13.02.010, 13.04.100(c), 13.04.130(a), 13.04.130(c), 13.04.160(c), AND 13.04.170 OF THE PARKER MUNICIPAL CODE, AND CHAPTER 13.04 OF THE PARKER MUNICIPAL CODE IS HEREBY AMENDED BY THE ADDITION THERETO OF A NEW SECTION 13.04.300, AND TO REPEAL PARAGRAPHS 13.04.120(d)(7), 13.04.130(c)(21), 13.04.130(e)(5), SECTION 13.04.140, PARAGRAPHS 13.04.160(d)(3), 13.04.160(d)(5) AND SECTION 13.10.050 OF THE PARKER MUNICIPAL CODE, CONCERNING STORAGE USES IN THE TOWN OF PARKER

PLANNING COMMISSION DISCUSSION

Commissioner John Howe said this is a complicated although straight-forward situation. He said Mr. Matthews presented that the Town has the ability to negotiate with businesses as the Town protects itself from being a self storage mecca. He said as long as the Town is willing to work and negotiate with business owners this will be a good ordinance.

Commissioner Brent Bitz said he supports the call for no additional storage as a primary use for good economic development within the Town. He said there are sufficient self storage facilities within the Town and Douglas County. He said he also supports economic growth within the Town and that causes him concern with the limits on storage for other uses. He said he would like the Town to relook at the wording of general use for clarification in the light industrial area, specifically with regard to automobile storage, as it benefits the Town. He asked the Town to work with the businesses to clarify the language.

Commissioner Eliana Burke agreed with her fellow Commissioners.

Commissioner Kathleen Thayer said clarification is important, as well as preserving the light industrial acreage to preserve economic growth for the Town.

Chair Gary Poole recalled Town Council's concern came from an increase in requests for self storage use in Town. He said he didn't hear the developers of Dransfeldt Place request self storage as a use. He did hear that requests for more than 25 percent storage would be administratively considered; and that the Town will work with those legally non-conforming businesses within the scope of the ordinance. He believes the process will work and encouraged the public to speak with Town Council.

Commissioner John Howe moved that the Planning Commission recommend the Town Council approve Ordinance 3.321 amending the Land Development Ordinance regarding storage. Commissioner Eliana Burke seconded; a vote was taken and passed 3:2 with Commissioner Brent Bitz voting against the request because of the need for further clarification of the term general use and the impacts on economic growth in the Town and Commissioner Kathleen Thayer voting against the request because of the need for further clarification on storage use limits; the impacts on economic growth and the appearance of the establishment of conditions that aren't well defined.

PUBLIC HEARING: OPENED: 8:08 P.M. ROBINSON RANCH LOT 3 FILING 2 FIRST AMENDMENT – Use by Special Review

Applicant: Veterinary Center of Parker, Dr. Lindsay Mamula
Location: 12311 Pine Bluffs Way, Unit 115
Planner: Ryan McGee

Ryan McGee, Planner, presented the staff report for the Use by Special Review request to allow a veterinary clinic use within the Robinson Ranch Planned Development (PD).

Mr. McGee concluded with the determinations in staff's report and recommended the Planning Commission recommend the Town Council approve the Use by Special Review request as conditioned in staff's report.

Commissioner John Howe asked staff if the pet waste is disposed of in a common waste receptacle for all the building tenants.

Mr. McGee said he believed so and the applicant will also provide an additional trash receptacle by the door.

APPLICANT PRESENTATION

Dr. Lindsay Mamula, 5119 Serene View Way presented:

- the pet waste goes into the common trash receptacle
- biological waste goes into the common trash receptacle; except needles and nuclear medical contaminates

Commissioners discussed with the applicant:

- if pet waste will be contained prior to being placed in the dumpster; (*Dr. Mamula said yes; pet waste will be sealed in plastic prior to disposal in the trash receptacle.*)
- the size of the clinic; (*Dr. Mamula said the clinic about 2500 square-feet.*)

PUBLIC COMMENT OPENED

None

PUBLIC COMMENT CLOSED

PUBLIC HEARING: CLOSED: 8:15 P.M. ROBINSON RANCH LOT 3 FILING 2 FIRST AMENDMENT – Use by Special Review

PLANNING COMMISSION DISCUSSION

Commissioner Brent Bitz said he supports the plan. He said Parker residents like to bring their pets close to where they live and other veterinary clinics are in similar locations in Town. He said this clinic will bring value to the Town.

Commissioner John Howe agreed. He said the clinic will support the neighborhood; it appears the applicant has made adequate conditions to take care of anything that may disturb residents in the area or other tenants.

Commissioner Kathleen Thayer agreed that adequate conditions have been met and Colorado residents love their pets. She believed it is a good addition to the community.

Commissioner Eliana Burke agreed that it will be a great addition to the community as long as the conditions are outlined and continued to be met.

Chair Gary Poole agreed with his fellow Commissioners.

Commissioner Brent Bitz moved that the Planning Commission recommend the Town Council approve the Use by Special Review request to allow a veterinary clinic use in the Robinson Ranch PD with the five conditions outlined in staff's report. Commissioner John Howe seconded; a vote was taken and passed 5:0.

PLANNING COMMISSION ITEMS

None

STAFF ITEMS

Steve Greer, Deputy Community Development Director advised there will be a Planning Commission Workshop for project updates from the Comprehensive Planning and Parks and Recreation departments prior to the February 25, 2016 meeting at 5:30 p.m.

ADJOURNMENT

The meeting was adjourned at 8:18 p.m.

Rosemary Sietsema
Recording Secretary

Gary Poole
Chair



**Community Development Department Memorandum
Development Review Division**

To: Town of Parker Planning Commission

From: Carolyn Parkinson, Planner I 
Steve Greer, Deputy Community Development Director 

Through: John Fussa, Community Development Director

Date: February 25, 2016

Regarding: Public Hearing: Brakes Plus - Use by Special Review
Robinson Ranch Filing No.2 Third Amendment Lot 1B (Case No. Z15-0030)

**Section I.
Subject & Proposal:**

Location: 12340 Parker Road generally located at the southeast corner of Parker Road and Hess Road.

Applicants: Cadence Capital Investments LLC-Kay Stallworthy

Proposal: Brakes Plus requests approval of a Use by Special Review to allow a car care facility in the Robinson Ranch Planned Development (PD).

**Section II.
Background:**

History: The Robinson Ranch property was annexed to the Town in 1998. The subject property was platted as Filing 2 in 2006 and amended in 2009, 2012 and in 2015 to amend the total number of lots in the Filing.

The recently approved Third Amendment divided Lot 1 of Robinson Ranch Filing 2 Amendment 2 into two lots designated 1A and 1B.

A site plan for lot 1A was administratively approved for an Advanced Auto store on January 15, 2016.

Land Use Summary Data:

Total Area: .83 acres (36,137 square feet)

Zoning: PD

Existing Use: The parcel is currently vacant.

Surrounding Zoning

& Land Use: **North:** PD Pine Bluffs Filing 4 Lot 2–Unimproved–Designated Commercial Use

East: PD Stroh Ranch 1st Amendment Tract B–Unimproved– Designated Commercial Use

South: PD Robinson Ranch 2nd Amendment Lot 5–Unimproved– Designated Commercial Use

West: PD Robinson Ranch 2nd Amendment Lot 2–Unimproved– Designated Commercial Use

Section III.

Analysis:

Conformance with PD Development Guide:

Commercial uses are permitted in this area of the Robinson Ranch PD. A car care facility however, requires approval of a Use by Special Review. A site plan request for a Brakes Plus on Lot1B has been submitted and review is underway to ensure compliance with all other requirements of the Design Guidelines and the Town of Parker Land Development Ordinance.

Characteristics of Use:

The proposed development is a neighborhood commercial use. The surrounding uses, both existing and future, are consistent in character with the proposed commercial use.

Utilities:

Parker Water and Sanitation District will provide water and sanitary sewer service to the development. Xcel Energy and Intermountain Rural Electric (IREA) will provide the power needs of the development.

Major Roads, Access and Circulation:

The site is generally located at the southeast corner of Parker Road and Hess Road. An existing detention pond lies between Parker Road and the site prohibiting access from Parker Road. Site access will be via an un-named private drive that runs perpendicular between Hess Road and Cockriel Road. There are two proposed driveways access points.

The first is opposite an intersection with another unnamed internal private drive and the second is located approximately 85 feet further north. The second driveway will be shared with Advanced Auto located to the north.

Section IV.
Additional Staff Findings:

The Town of Parker Land Development Code, §13.04.240(f), specifies nine criteria to be used in evaluating zoning requests. If the proposed use meets these criteria, or can meet them subject to reasonable mitigation conditions, the use may be approved.

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

Applicant response;

The project will be in harmony and compatible with the character of the surrounding area and neighborhood. The building will use similar materials and colors to the proposed Advance Auto on the north part of this site and the multi-tenant retail building that is part of the Robinson Ranch Development. It will incorporate stone, EIFS and brick. The use will be compatible with the Advance Auto just to the north. Brakes Plus is a small auto repair shop similar to the Service Street Repair shop on the northwest corner of Parker Rd and Hess.

Staff Analysis;

The project is located in an area that currently contains commercial development and is zoned for future commercial development. The proposed structure utilizes similar materials and architectural style as those adjacent and in close proximity. The use is compatible with the recently approved Advance Auto site plan adjacent to the north and is similar in terms of scale and mass. Attention has been paid to minimizing the automobile-oriented aspects of the use by situating the building so that the garage bay doors do not face Parker Road. The proposed use will be in harmony and compatible with the surrounding areas and neighborhood.

2. Will be consistent with the Town Master Plan;

Applicant response;

We will be consistent with the Town Master Plan as neighborhoods are the primary building blocks of the Parker community, we intend to build in a Neighborhood Center to serve the basic needs of the immediate and surrounding residents. We will develop a building that reflects Parker's desire to promote architectural and aesthetic excellence. In order to support the long-term economic well-being of the Town, this new development will encourage employment opportunities.

The development will use transportation systems that are safe and already in place.

Staff Analysis;

The Master Plan identifies this intersection as a neighborhood center for the surrounding low and medium density residential use. Neighborhood Centers are described within the Master Plan as intended to provide “the basic needs of the surrounding residents”. This proposal will provide car care services to immediate and surrounding residents and is consistent with the Town Master Plan.

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

Applicant response;

The Brakes Plus will not result in an over-use of the land. While this lot has been vacant for many years, the overall Robinson Ranch Development Plan has identified this parcel for retail use. The building will be 4,730 square feet and the lot will be 25% landscaped.

Staff Analysis;

The total lot size for this proposal is 36,127 square-feet. The proposed structure is 4730 square-feet, 13 percent of the overall site. The scale and massing of this project are not inconsistent with adjacent structures within the Robinson Ranch commercial area. The main difference here is that the use being proposed is automotive in nature. Staff feels the design considerations factored into the site, coupled with landscape buffering that exceeds what is required, will mitigate negative impacts associated with the automotive nature of the use. The proposed use will not result in over-intensive use of the land.

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

Applicant response;

This will not have a material adverse effect on community capital improvement programs. The access to this site is from a private road that is in place.

Staff Analysis;

The project will be privately funded and will not impact the Town’s capital improvement programs. The existing private access is adequate for the proposed use and storm water flows will be mitigated as part of the associated site plan review. The proposed commercial use will not have a material adverse effect on community capital improvement programs.

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

Applicant response;

This project will not require a level of community facilities and services greater than that which is available.

Staff Analysis;

There were no referral comments indicating that required services will exceed the level of community facilities and services greater available.

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

Applicant response;

This retail project will not result in undue traffic congestion or traffic hazards. The building will be accessed from an internal roadway system that also provides a connection to Pine Bluff Way and a signalized intersection on Hess Road and a connection to an east/west roadway on the southern border of Robinson Ranch Property. We believe the traffic that will be generated by the proposed project is in conformance with the Robinson Ranch TIS. Please see Traffic Conformance Letter drafted by a licensed traffic engineer and part of this application for more details.

Staff Analysis;

The applicant provided a traffic study for the proposed commercial use. The study concluded that no modifications are necessary to accommodate the traffic from the proposed use and that the project will not cause undue traffic congestion or traffic hazards. The development will be required to meet all traffic safety requirements as part of the associated site plan submittal and review.

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

Applicant response;

This development will not cause significant air, water or noise pollution. Brakes Plus is not an auto-body repair shop or a tire store. There will be little noise pollution. They are also buffered from any residential areas by landscaping and vacant commercial land.

Staff Analysis;

Brakes Plus will be required to adhere with state requirements regarding the disposal of potentially hazardous substances.

As stated by the applicant, noise from the facility will be buffered by both landscaping and adjacent commercial uses and/or vacant land. Potential for noise pollution derives mainly from the use of power tools used in automotive repair. Consideration should be given to having the applicant agree to keep the garage bay doors closed unless driving a vehicle into or out of a garage space within the building.

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

Applicant response;

The development will be adequately landscaped, buffered and screened with 25% landscaping including 9 trees and 42 shrubs.

Staff Analysis;

The associated site plan proposal provides for landscaping that exceeds what is required by Town ordinance. A drainage easement on site prevents the location of trees on the west property boundary, however, the proposal includes significant site perimeter landscaping along the south boundary, which is the most exposed and impactful to the surrounding neighborhood. The facility will be further buffered from residential uses by adjacent commercial uses and/or vacant land.

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

Applicant response;

This development will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of the Town and will in fact be a great addition to this intersection, adding amenities to the community and activating a commercial intersection within the Town of Parker.

Staff Analysis;

The proposed use will improve the welfare of present and future Town of Parker inhabitants by providing community related services near residential areas.

Additionally, the proposed commercial use will add to the Town's sales tax revenue and further activate a commercial intersection south of the downtown area. Therefore, the proposed commercial project will not be detrimental to the health, safety or welfare of present or future inhabitants of Parker.

Section V.
Referral Agency Comments:

Below are the condensed versions of referral responses received from affected agencies:

Town of Parker Building Department:
Approved

Robinson Ranch Homeowners':
No written comment.

Town of Parker Fire and Life Safety:
No comment

Shops at Robinson Ranch Association:
Requested requirement for closed bay doors whenever possible and an increased percentage of evergreen trees on south perimeter

IREA:
No comment

Parker Water and Sanitation:
Approved for Zoning only

Xcel:
All construction activities will require Xcel review due to existing facilities.

Section VI.
Recommendation:

Staff recommends that the Planning Commission recommend that the Town Council approve the Use by Special Review request to allow a car care facility in Robinson Ranch Filing 2 PD with the following five conditions:

1. That the Use by Special Review materials submitted to the Community Development Department on December 14, 2015 shall be the approved Use by Special Review materials.
2. Approval of this Use by Special Review **DOES NOT** constitutes site plan approval. Approval of a separate site plan submittal is required.
3. This approval **DOES NOT** include signage. A separate sign permit is required from the Community Development Department. The applicant shall also contact the Building Division regarding sign permit requirements.

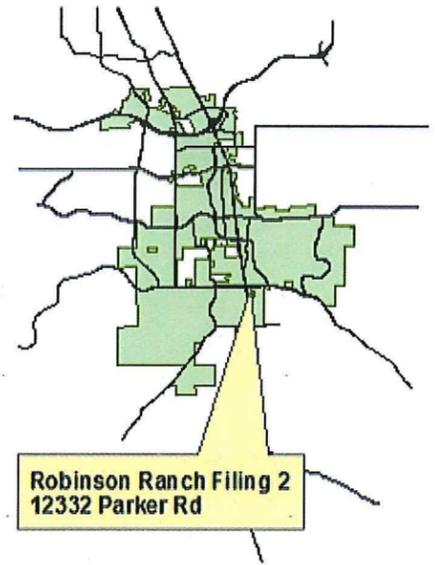
4. There will be no overnight storage of vehicles in the parking lot.
5. Garage bay doors shall remain closed unless driving a vehicle into or out of a garage space within the building.

Section VII.
Attachments:

1. Vicinity Map
2. Referral Agency Comments

Section VIII.
Proposed Motion(s):

“I move that the Planning Commission recommend the Town Council approve the Use by Special Review request to allow a car care facility in the Robinson Ranch Filing 2 Planned Development with the five conditions outlined in staff’s report.”



Legend

-  Town Boundary
-  Roads

Narrative:
A request for approval of a Use by Special Review to allow a Car Care Facility (Brakes Plus) on Lot 1B in the Commercial area of Robinson Ranch Planned Development.

Planner: Carolyn Parkinson
Hearing Schedules:

Planning Commission:
February 25, 2016

Town Council:
March 7, 2016



December 29, 2015

Carolyn Parkinson
Town of Parker
20120 E Mainstreet
Parker CO 80138

Re: Robinson Ranch F2 AMD2 L1B (Brakes Plus)
Site Plan – 1st Referral Project #SP15-0083
PWSD Project I.D. #2015-082

Dear Ms. Parkinson:

Thank you for forwarding the referral request for the above mentioned project. After a review of the documents submitted, the Parker Water & Sanitation District has the following comments:

- Please submit a dedicated PWSD set of water and sanitary sewer construction plans, complete with details, cover sheet and signature blocks to the Town of Parker's Etrakit system with the next submittal.
- Please update PWSD's contact and location on the cover sheet. Please change the contact to Drayton Sanderson and the address to 18100 E. Woodman Drive Parker, Co 80134.
- Please add a materials list to the cover sheet for the water and sanitary sewer related items.
- Submit the plumbing plans for the building(s) for verification and calculation of tap size (include engineer's fixture count worksheet). The District uses the 2009 IPC for sizing water taps.
- Due to the addition of the Fire Hydrant please submit an executed Standard Improvement Agreement with all required exhibits.
- A wet stamped and signed Engineers Estimate for the fire hydrants materials and instillation with a 20% contingency must be submitted for verification and District approval. The approved document will be an Exhibit for the Standard Improvement Agreement and Letter of Credit.
- A letter of credit or cash in lieu will be required for the fire hydrant materials and instillation.
- For the fire hydrant, please add PWSD water detail sheets 5 and 6, 34, 61.
- Please call out a sampling manhole for the sand and oil interceptor right after the interceptor on the East side and before the buildings sanitary sewer service tie in. Please add PWSD sewer detail sheets 31, 32, and 33.
 - o Please change the callout on the plans from a Proposed Grease Trap to a Sand and Oil Interceptor. Additionally callout the proposed volume of the sand and oil interceptor on the plans.

- An Industrial Waste Permit application must be completed. Application is available at www.pwsd.org.
- Tap fees for a domestic 3/4" tap are approximately \$30,857 fees will be invoiced on the second submittal.
- Our minimum Engineering Review/Inspection Fees of \$2,000 will be invoiced on the next submittal.
- Submit landscape/irrigation plans for verification and calculation of tap size(s) (include completed PWSD landscape worksheet-one worksheet per tap). PWSD Landscape/Irrigation worksheet is available online, at www.pwsd.org/developer.html. The approved worksheet must be shown on the approved landscaped plans.

Please do not hesitate to contact us should you have any questions.

Sincerely,
Parker Water & Sanitation District


Drayton Sanderson
Engineering Technician

 PWSD

REVIEWS

Drayton Sanderson	Parker Water and Sanitation District 20
Approved for zoning only. See Sp15-0083 for PWSD comment letter.	
12/22/2015 8:50:19 AM	

Donna George	Public Service Company of Colorado 20
see attached letter	
1/19/2016 11:37:15 AM	

ROBINSON RANCH COMMUNITY ASSOC
PARKER, COLORADO

SPECIALIZED PROPERTY MANAGEMENT, INC.
19590 E. MAINSTREET, #101
PARKER, COLORADO 80138
303-841-0456 FAX 303-479-8923

FEBRUARY 9, 2016

CAROLYN PARKINSON
PLANNER, TOWN OF PARKER
20120 E. MAINSTREET
PARKER, CO 80138

REFERENCE: CASE # SP15-0083

DEAR CAROLYN:

THANK YOU FOR THE OPPORTUNITY TO REVIEW THE SITE AND DEVELOPMENT PLANS FOR ROBINSON RANCH F2 AMD2 L1B BRAKES PLUS DATED FEBRUARY 1 AND 2, 2016. WE HAVE REVIEWED THE JANUARY 21, 2016 COMMENTS MADE BY STAFF FROM THE PREVIOUS SUBMITTAL AND AGREE THAT THOSE CHANGES WILL MAKE FOR A BETTER DEVELOPMENT. AS STATED PREVIOUSLY, SINCE NOISE IS ASSOCIATED WITH THIS TYPE OF DEVELOPMENT, WE DO REQUEST THAT HOURS OF OPERATION AND A MEANS OF DAMPENING THE NOISE (I.E. BAY DOORS CLOSED DURING OPERATIONS) BE NOTED AND STRONGLY ENFORCED. IN REFERENCING THE LANDSCAPE PLAN, WE WOULD REQUEST THAT THE GSL BE REPLACED BY TWO FAS IN THE SOUTH PARKING PERIMETER PLANTING AREA IN ORDER TO HELP BUFFER NOISE TOWARD OUR COMMUNITY. WE WOULD ALSO REQUEST THAT ALL OF THE FAS BE A MINIMUM PLANTING HEIGHT OF 10' TO PROVIDE IMMEDIATE RELIEF. OVERSPILL LIGHTING IS ALSO OF CONCERN TO US AND WE REQUEST THAT ALL EXTERIOR LIGHTING TO BE KEPT TO THE MINIMUM FOR SAFETY AND WELFARE.

RESPECTFULLY SUBMITTED,
ROBINSON RANCH, THE SHOPS AT ROBINSON RANCH
MICHAEL B. OWENS



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.571.3306
Facsimile: 303. 571.3524
donna.l.george@xcelenergy.com

January 19, 2016

Town of Parker Community Development Department
20120 E. Mainstreet
Parker, CO 80138

Attn: Carolyn Parkinson

Re: Robinson Ranch F2 A2 L1B Brakes Plus, Case #s SP15-0083 and Z15-0030

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the use by special review and site plans for **Robinson Ranch F2 A2 L1B Brakes Plus**. Please be aware PSCo owns and operates existing natural gas distribution facilities within the subject property. The property owner/developer/contractor must contact the **Builder's Call Line at 1-800-628-2121** and complete the application process for any new gas service, or modification to existing facilities. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the **Utility Notification Center, at 1-800-922-1987** to have all utilities located prior to any construction.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George
Contract Right of Way Referral Processor
Public Service Company of Colorado