

Parker and Pine Mixed Use Development Planned Development Guide

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Parker and Pine Mixed
Use

Development Guide

PAGE

TABLE OF CONTENTS

SECTION I - OBJECTIVE, PURPOSE, INTENT, APPLICATION..... 1

A. Objective:..... 1

B. Purpose:..... 1

C. Intent:..... 1

D. Application:..... 2

SECTION II - AUTHORITY..... 3

A. Authority:..... 3

B. Adoption:..... 3

C. Enforcement:..... 3

D. Relationship to Town Regulations:..... 3

E. Architectural Control Committee:..... 3

F. Conflicts:..... 3

SECTION III - CONTROL PROVISIONS..... 4

A. Control Over Use:..... 4

B. Control Over Location and Bulk:..... 4

C. Incorporation of Development Plan:..... 4

D. Planning Area Boundaries:..... 4

SECTION IV - GENERAL PROVISIONS..... 5

A. Purpose:..... 5

B. Relationship to the Town of Parker Roadway Design and Construction Criteria Manual, as Amended:..... 5

C. Conflicts:..... 5

D. Utility Connections:..... 5

E. Underground Utility:..... 5

SECTION V – COMMERCIAL AREA I and II..... 6

A. Intent:..... 6

B. Commercial Land Uses Permitted by Right:..... 6

C. Commercial Land Uses Permitted by Special Review:..... 7

D. Development Standards:..... 7

SECTION VI – HIGHWAY ORIENTED COMMERCIAL..... 8

A. Intent:..... 8

B. Highway Oriented Commercial Land Uses Permitted by Right:..... 8

C. Highway Oriented Commercial Land Uses Permitted by Special Review:..... 8

D. Development Standards:..... 8

SECTION VII – MIXED RESIDENTIAL..... 8

A. Intent:..... 8

B. Residential Land Uses Permitted by Right:..... 8

C. Development Standards:..... 8

SECTION I - OBJECTIVE, PURPOSE, INTENT, APPLICATION

A. Objective:

The objective for the Parker and Pine Mixed Use Development is to create a viable commercial center in response to the accelerated development of the E-470 Corridor at the northwestern edge of the Town of Parker. Such a development will offer the opportunity for a blend of office, commercial, hospitality, and multi-family uses.

B. Purpose:

The purpose of the Parker and Pine Mixed Use Planned Development Guide (hereinafter sometimes referred to as "Development Guide") is to establish standards for the comprehensive development and improvement of the property. The Development Guide will provide opportunities for innovative design and the necessary flexibility for changing community needs.

C. Intent:

The intent of the Parker and Pine Mixed Use Planned Development is to create better opportunities for community growth within the Town of Parker. This will include a variety of uses including multi-family, office, and commercial development. The Parker and Pine Mixed Use PD provides the development standards that will encourage and promote innovative development to help enhance the character and quality of the Town of Parker.

The intent of the Development Guide is to establish specific criteria for the comprehensive development and improvement of the property. The standards will help guide the development in an orderly manner to provide the residents of Parker with a comfortable place to work, play and shop.

In support of the Town of Parker's 2035 Master Plan, it is the intent of this Development Guide to direct and encourage the following:

1. Provide for commercial, retail, restaurants, entertainment, and higher density residential to support a pedestrian environment;
2. Provide for a well-located mixed-use development that creates a sense of community among those who work, live, and play in the environment;
3. Encourages quality commercial, retail, and services uses that ensure adequate opportunities for future expansion of our economic base in an appropriate location in the community;
4. Encourage innovative approaches to mixed-use development meet the growing demands of the population;
5. Encourage the development of a community incorporating the best features of modern design;
6. Encourages an alternative development type which will minimize the strain on existing and future facilities in and around the Parker and Pine Mixed Use Planned Development. The efficient mixing of uses in the development is intended to reduce vehicle trips and reinforce the walkability of the community;
7. Conserve and enhance the value of the land; and
8. Encourages a sensitive design and layout that integrates the land's natural characteristics to protect the native landscape and topographical features with the built environment of commercial, retail, service, and higher density residential.

PARKER & PINE MIXED USE PD

D. Application:

Standards for development shall apply to all property contained within the Parker and Pine Mixed Use Development that is illustrated on the Development Plan. The regulations and requirements shall become the governing standards for review, approval and modification of all development activities occurring on the site.

Provisions of this guide shall prevail and govern the uses permitted within the area defined as the Parker and Pine Mixed Use PD. This guide only supersedes the specific zoning category, not the Town of Parker's Municipal Code, as amended.

END OF SECTION

SECTION II - AUTHORITY

- A. Authority:
The authority for this PD Development Guide is Section 13.04.150. (PD-Planned Development) of the Town of Parker Land Development Ordinance.
- B. Adoption:
The adoption of this Development Guide shall evidence the findings and decision of the Town Council of the Town of Parker that this Development Guide for Parker and Pine Mixed Use Planned Development is authorized by the provisions of Section 13.04.150 of the Town of Parker Land Development Ordinance.
- C. Enforcement:
The provisions of the Development Guide relating to the use of land shall run in favor of the Town of Parker and shall be enforceable, at law or in equity, by the Town of Parker without any limitation on any power or authority otherwise granted by law. All provisions of this Development Guide shall run in favor of the occupants and owners of the land within the Parker and Pine Mixed Use Planned Development to the extent expressly provided in this Development Guide and in accordance with its terms and conditions.
- D. Relationship to Town Regulations:
The provisions of this Development Guide shall prevail and govern the development within the Parker and Pine Mixed Use Planned Development. Where the provisions of the Development Guide do not address a specific subject, the provisions of the Town of Parker Municipal Code, as amended, or other applicable ordinances, resolutions or regulations of the Town of Parker shall prevail.
- E. Architectural Control Committee:
The Parker and Pine development is controlled by an Architectural Control Committee (ACC) whose Design Guidelines are attached as Exhibit A. All development will be subject to review and approval by the Parker and Pine ACC, subject further to Town approval, as provided by the Town of Parker Municipal Code.
- F. Conflicts:
Where there is more than one provision within the Development Guide that covers the same subject matter, the provision which is most restrictive or imposes higher standards or requirements shall govern unless determined otherwise by the Community Development Director.

END OF SECTION

SECTION III - CONTROL PROVISIONS

A. Control Over Use:

After the adoption of this Development Guide by the Town Council of the Town of Parker and subject to the provisions of Section 13.04.230 (Non-Conforming Situations) and these Development Standards, in conjunction with the Town of Parker Land Development Ordinance, shall control development and land use including the following:

1. Any new building or other structure, and any parcel of land, or land use; and
2. The use of any existing building, other structure or parcel of land may be changed or extended; and
3. Any existing building or other structure may be enlarged, reconstructed, structurally altered, converted or relocated provided changes are in accordance with this Development Guide and the Development Plan.

For any purpose permitted or required by the provisions of this Development Guide applicable to the area in which the building, other structure or parcel of land is located, and for no other purpose. Such use, change, extension, enlargement, reconstruction, structural alteration, conversion or relocation shall be subject to all other standards and requirements set forth or referred to in the standards and requirements for that area, and to any other applicable standards and requirements of this Development Guide.

B. Control Over Location and Bulk:

After the adoption of this Development Guide by the Town Council of the Town of Parker and subject to the provisions of Section 13.04.230 (Non-Conforming Situations) of the Town of Parker Land Development Ordinance, the location and bulk of all buildings and other structures, existing and future, shall be in conformity with:

1. All standards and requirements set forth or referred to in the standards and requirements for the area in which such buildings and other structures are located; and
2. Any other applicable standards and requirements of this Development Guide.

C. Incorporation of Development Plan:

The development of the "Parker and Pine Mixed Use Planned Development", including the type, location and boundaries of land use areas, the circulation elements, and the densities established by this Development Guide, are shown upon the "Parker and Pine Mixed Use Development Plan" (hereinafter sometimes referred to as "Development Plan)", which Development Plan is hereby incorporated by reference into this Development Guide together with everything shown thereon and all amendments thereto.

D. Planning Area Boundaries:

The boundaries and acreage of all Planning Areas within Parker and Pine Mixed Use Planned Development are shown on the Development Plan.

Amendments to planning areas shall be subject to Section 13.03.030 of the Town of Parker Municipal Code.

END OF SECTION

SECTION IV - GENERAL PROVISIONS

- A. Purpose:
The purpose of this section is to provide general provisions and clarifications of standards and requirements for development that will occur in the Parker and Pine Mixed Use Planned Development.

- B. Relationship to the Town of Parker Roadway Design and Construction Criteria Manual, as Amended:
Regarding public roadways, all provisions of the Town of Parker Roadway Design and Construction Criteria manual, as amended, and successors thereof, as now in effect and is hereafter amended, are by this reference incorporated herein as if set forth in full.

- C. Conflicts:
Where there is more than one provision within the Development Guide that covers the same subject matter, the provision which is most restrictive or imposes higher standard or requirements shall govern unless determined otherwise by the Community Development Director.

- D. Utility Connections:
Connection to Parker Water and Sanitation District facilities shall be required for each principal building constructed in the future within the Parker and Pine Mixed Use Planned Development.

- E. Underground Utility:
All electrical and communication distribution lines shall be placed underground.

END OF SECTION

SECTION V – COMMERCIAL AREAS I and II (Planning Areas 1 and 2 on PUD Rezoning Map)

A. Intent:

The Commercial planning areas provide for the opportunity to offer flexibility with the land planning and site development within a defined framework of excellence. The planning areas can be developed with supporting retail, office, and commercial uses. The flexibility in land uses provides the framework to combine supporting uses and allows development to respond to changing market conditions. The development standards will help assure quality improvements in the Town of Parker. The Commercial planning areas will help build a commercial node in the Town of Parker where you can work, shop and play.

All development shall comply with the *Commercial Design Standards* outlined within the *Town of Parker Development Design Standards*, referenced within Section 13.10.200 of the Parker Municipal Code, as amended, unless otherwise stated in these standards.

B. Commercial Land Uses Permitted by Right:

1. Antique Shops
2. Art Supplies
3. Bakeries
4. Banks without drive-through
5. Bars and Lounges
6. Breweries and Distilleries
7. Consignment Stores
8. Clothing Stores
9. Craft and Hobby Shops
10. Daycare no larger than 14,000 square feet, subject to Section V.D.6
11. Drug stores; may include pharmacies
12. Eating and Drinking Establishment; drive in and/or carry out subject to Section V.D.5
13. Electrical and Household Appliances
14. Financial Institutions without drive-through
15. Florists
16. General Merchandise/Retail Sales and Services
17. Gift Shops
18. Grocery Stores
19. Jewelry Stores
20. Liquor Stores
21. Microbrewery
22. Music Shops
23. Offices
24. Office Supplies; may include computer and phone sales
25. Outpatient veterinary facilities where no kenneling of animal is proposed, no larger than 3,500 sq. ft.
26. Personal Service no larger than 3,500 sq. ft.; including dry cleaning services without onsite processing, therapeutic massage, and reflexology
24. Fitness Studio no larger than 3,500 sq. ft.
25. Health Club and spas no larger than 3,500 sq. ft.
26. Instructional services no larger than 3,500 sq. ft.
27. Pet Shops
28. Restaurants and other Eating Establishments
29. Shoe Stores

PARKER & PINE MIXED USE PD

30. Sporting Goods and Athletic Equipment
31. Toy and Game Stores
32. Other uses determined to be appropriate and reasonably similar as determined by the Planning Director.

C. Commercial Land Uses Permitted by Special Review:

1. Hotels
2. Daycare in excess of 14,000 square feet, subject to V.D.6

D. Development Standards:

1. **Minimum Building Size.** The minimum building square footage for the lot located at the corner of Parker Road and Pine Lane in the Commercial Area I is 17,000 square feet. Square footage between 12,000 and 17,000 may be approved at the discretion of the Planning Director where the following apply:
 - The development is entirely retail
 - the development is a single user building, not a multi-tenant building.
2. **Setbacks.** The minimum building setbacks in the Commercial Planning Areas shall be:
 - Front: 10'
 - Side: 10'
 - Rear: 10'
 - Residential Use: 25'
3. **Lot Width.** No lot shall be less than 120 feet (120') wide.
4. **Building Height.** No building within the Commercial Planning Areas shall exceed forty-five (45) feet in height except by special review.
5. **Drive-through Uses.**
 - No drive-through use shall be within a 300-foot radius of the Pine Lane and Parker Road center line intersection.
 - No more than two (2) drive-through uses shall be permitted within the Commercial Planning Area.
6. **Daycare Use.**
 - No more than 1 daycare use shall be permitted within Commercial Area II only. No daycare use is permitted in Commercial Area I.
7. **Personal Service Uses.**
 - No more than 7,500 sq. ft. personal service uses shall be permitted within Commercial Planning Area 1, unless otherwise approved by the Planning Director.

END OF SECTION

SECTION VI – HIGHWAY ORIENTED COMMERCIAL (Planning Area 3 on the PUD Rezoning Map)

A. Intent:

This section establishes standards for the Highway Oriented Commercial use area designated on the plan, which will provide for planned, orderly development, meeting the automotive and retail needs of the community as it develops.

All development shall comply with the *Commercial Design Standards* outlined within the *Town of Parker Development Design Standards*, referenced within Section 13.10.200 of the Parker Municipal Code, as amended, unless otherwise stated in these standards.

B. Highway Oriented Commercial Land Uses Permitted by Right:

- a. Antique Shops
- b. Art Supplies
- c. Bakeries
- d. Bars and Lounges
- e. Breweries and Distilleries
- f. Car Wash; may include automatic or coin operated as a principal use
- g. Clothing Stores
- h. Convenience Stores; may include sales of gasoline and automotive fuel products
- i. Craft and Hobby Shops
- j. Drug stores; may include pharmacies
- k. Eating and Drinking Establishment; drive in and/or carry out, subject to V.D.5.
- l. Electrical and Household Appliances
- m. Financial Institutions with drive-through
- n. Florists
- o. General Merchandise/Retail Sales and Services
- p. Gift Shops
- q. Grocery Stores
- r. Hotels and motels, including restaurants, gift shops, and other accessories
- s. Indoor Amusement and Recreational Establishments
- t. Jewelry Stores
- u. Liquor Stores
- v. Microbrewery
- w. Music Shops
- x. Offices
- y. Office Supplies; may include computer and phone sales
- z. Personal Service no larger than 3,500 sq. ft.; may include, but are not limited to:
 - bb. Fitness Studio, maximum 3,500 square feet
 - cc. Health Club and spas, maximum 3,500 square feet
 - dd. Instructional services, maximum 3,500 square feet
 - ee. Pet Shops
 - ff. Restaurants and other Eating Establishments
 - gg. Shoe Stores
 - hh. Sporting Goods and Athletic Equipment
 - ii. Toy and Game Stores
 - jj. Veterinary clinics, provided only household, domesticated animals are treated, and there is no provision for overnight kenneling of animals
 - kk. Other uses determined to be appropriate and reasonably similar as determined by the Planning Director

- C. Highway Oriented Commercial Land Uses Permitted by Special Review:
- a. Ambulance Services
 - b. Automobile sales (new and used), rental and leasing
 - c. Automobile and truck service and repair facilities
 - d. Sales, leasing and rental of motorized equipment
 - e. Emergency Care Facilities
 - f. Display Parking of Automotive Vehicles; may include motorcycles, recreational vehicles, and other type of motorized vehicle) for sale with the front or side yard setback of a lot
- D. Development Standards:
- a. Setbacks. The minimum building setbacks in the Commercial Planning Area shall be determined at time of site plan, but shall not be more than eighty (80') or less than ten feet (10') from public streets.
 - b. Building Height. No building within the Commercial Planning Area shall exceed forty-five (45) feet in height except by special review.

END OF SECTION

SECTION VII – MIXED RESIDENTIAL (Planning Area 4 on the PUD Rezoning Map)

A. Intent:

The mixed residential planning area provides for the opportunity to offer flexibility with the land planning and site development. The planning area can be developed with variety of high-density residential uses. The land uses allow housing to promote a sustainable mixed-use environment. The residential land use should promote a pedestrian-oriented environment

B. Residential Land Uses Permitted by Right:

- a. Multi-family
- b. Mixed-Use Residential; includes residential above first floor retail/commercial/office
- c. Retail/commercial/office in support
- d. Convenience retail; without gas pumps
- e. Office/professional, accounting, law, consulting
- f. Retail sales
- g. Bar and Lounge
- h. Eating Establishment; without drive-through
- i. Personal Services, not to exceed 3,500 square feet may include, but are not limited to:
- j. Fitness Studio, maximum 3,500 square feet
- k. Health Club and spas, maximum 3,500 square feet
- l. Instructional services, maximum 3,500 square feet
- m. Single-Family Attached; Townhome
- n. Open Space
- o. Public Plazas, Courts and Gathering Spaces
- p. Recreation Center – Club House for private use to serve the residential development
- q. Other uses determined to be appropriate and reasonably similar as determined by the Planning Director.

C. Development Standards:

- a. Residential Uses. Not to exceed 175 dwelling units for the Mixed Residential Planning Area.
- b. Setbacks. The minimum building setbacks in the Residential Planning Area shall be determined at time of site plan, but shall not be more than eighty (80') or less than ten feet (10') from public streets.
- c. Building Height. No building within the Mixed Residential Planning Area shall be exceed four (4) stories or sixty feet (60) feet in height, whichever is more restrictive. Building height is limited to three stories for buildings adjacent to Twenty Mile Road.
- d. Minimum Lot Area. None.
- e. Personal Service Uses. No more than 6,000 square feet of personal service uses shall be permitted within the commercial planning areas. At the discretion of the Planning Director, this may be increased by 25% to a maximum of 7,500 square feet provided that:
 1. There is a minimum of 10% floor space dedicated to a retail component of the personal service use or
 2. The specific use proposed is not available within a ½ mile radius of the development.

END OF SECTION