



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 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 – 25 to 30' tall Ponderosa Pines 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 applicant is concurrently pursuing inclusion 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.