



Your kind of place.

TO: Marley Hodgson, Jackalope Properties, LLC
FROM: Stacey Nerger, Associate Planner
DATE: April 2, 2019
SUBJECT: Jackalope Rezoning –Zoning [Application Z18-026]

The following are the comments regarding your application. All comments must be responded to, and if you disagree with a comment please indicate the reasoning of your disagreement. Please sign and return this memo with your next submittal. A follow-up meeting with the reviewing agencies can be scheduled to provide additional guidance.

TOWN OF PARKER PLANNING DEPARTMENT:

ATTN: STACEY NERGER

E-MAIL: snerger@parkeronline.org

FAX: 303-841-3223

PHONE: 303-805-3199

JACKALOPE REZONING

Zoning:

- 1. Please see the attached PD Guide redlines for additional changes that are proposed from the Town.

Complied: [] Yes [] No
Response:

Two horizontal lines for signature or response.

Zoning Map:

- 2. If the PD Plan (Zoning Map) will not be recorded until after the property has been sold to you, the Big Tool Box, please update the ownership signature blocks with the name of the entity who will own the property at the time of recordation. The owner name needs to match exactly between the Assessor Records and what is on the map.

Complied: [] Yes [] No
Response:

Two horizontal lines for signature or response.



Your kind of place.

3. Please correct the address of the property in the title block. Somehow the 1 was deleted.

Complied: Yes No

Response:

OUTSIDE REFERRAL AGENCY COMMENTS

4. Please address all outside referral agency comments with a written response. Copies of these comments can be found within the case file in TRAKiT.

Complied: Yes No

Response:

Property Owner

Date

Project Representative

Date

Jackalope

Planned Development Guide 1st Amendment

March 6, 1997

1st Amendment April 1, 2019

Jackalope

Planned Development Guide

Contents

GENERAL PROVISIONS:	3
I. PURPOSE:	3
II. INTENT:	3
III. APPLICATION:	3
IV. CONTROL:	3
V. INCORPORATION OF DEVELOPMENT PLAN:	4
VI. CONFLICTS:	4
AUTHORITY	5
I. AUTHORITY	5
II. ADOPTION:	5
III. ENFORCEMENT:	5
COMMERCIAL DEVELOPMENT STANDARDS	6
I. PURPOSE:	6
II. DEFINITIONS:	6
III. USES PERMITTED BY RIGHT:	6
IV. ACCESSORY USES:	7
V. USES PERMITTED BY SPECIAL REVIEW:	7
VI. DEVELOPMENT STANDARDS:	7
VII. OUTDOOR COMMERCIAL DISPLAY AREAS:	8

GENERAL PROVISIONS:

I. PURPOSE:

This development guide sets forth land uses and development standards for the Jackalope Subdivision, a planned development in the Town of Parker, Colorado. It shall regulate the use of the land, define certain terms and clarify the zoning procedures.

The Jackalope Subdivision is comprised of approximately 9.6 acres. The comprehensive development of this parcel in response to certain opportunities and constraints will contribute to an orderly, balanced and quality addition to the Town of Parker.

II. INTENT:

It is the intent of this Development Guide to provide areas for businesses providing convenience retail and personal service uses and/or for wholesale and service commercial uses with minimal assembly or manufacturing activities.

III. APPLICATION:

The standards and regulations contained in this Development Guide shall apply to the Property. The standards and regulations contained in this Development Guide may be divergent from the standards and regulations contained in Chapter 13.04 of the Parker Land Development Ordinance, but not any other Chapter of the Parker Land Development Ordinance. In the event that there is a conflict between the standards and regulations contained in this Development Guide (excluding Chapter 13.04) then the Parker Land Development Ordinance shall control.

IV. CONTROL:

After the adoption of this Development Guide by the Town Council of the Town of Parker, subject to the provisions of Section 13.04.230 of the Parker Land Development Ordinance (Non-Conforming Situations), the standards and regulations contained in this Development Guide, in conjunction with the Town of Parker Land Development Ordinance, as provided herein, shall control development, land use, the location and bulk of all buildings and other structures, existing and future, and shall also apply to the following:

- A. Any new building or other structure, and any parcel of land, or land use;
- B. The use of any existing building, other structure or parcel of land may be changed or extended;
- C. Any existing building or other structure, if such building or other structure is to be enlarged, reconstructed, structurally altered, converted or relocated.
- D. All standards and regulations set forth or referred to in the standards and regulations for the planning area in which such buildings and other structures are located.

V. INCORPORATION OF DEVELOPMENT PLAN:

The Jackalope development, including the type, location and boundaries of land use areas are shown upon the “Jackalope Development Plan” (hereinafter 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.

VI. 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.

AUTHORITY

I. AUTHORITY

The authority for this PD Development Guide is Section 13.04.150 (PD-Planned Development) of the Town of Parker Land Development Ordinance.

II. ADOPTION:

The adoption of this Development Guide and Development Plan by ordinance shall evidence the findings and decisions of the Town of Parker Town Council that this Development Guide and Development Plan for the Jackalope Planned Development is authorized by the provisions of Section 13.04.150 of the Town of Parker Land Development Ordinance.

III. 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 owners of the Property to the extent expressly provided in this Development Guide and in accordance with its terms and conditions.

COMMERCIAL DEVELOPMENT STANDARDS

I. PURPOSE:

Provide areas for businesses providing convenience retail and personal service uses and/or for wholesale and service commercial uses with minimal assembly or manufacturing activities.

II. DEFINITIONS:

Small engine motorized equipment: A small-displacement, single cylinder or twin cylinder four stroke/cycle, low-powered internal combustion engine (or electric motor equivalent) used to power lawn mowers, generators, concrete mixers, snow blowers, chain saws, string trimmers, utility vehicles (UTV's), and many other machines that require independent power sources.

Medium engine motorized equipment: medium and light duty farm, landscaping and recreational equipment generally under 100 horsepower including small tractors, skid loaders, ATVs, golf carts, and similar motorized equipment

Rental Vehicles: Pick-up trucks, trailers, cargo vans, box/moving trucks (up to 26' long), small engine motorized equipment, medium engine motorized equipment.

III. USES PERMITTED BY RIGHT:

A. The following uses shall be permitted as a matter of right:

1. Offices: general, medical, dental, professional and governmental
2. Public and quasi-public facilities
3. Greenhouses
4. Banks
5. Commercial Retail
6. Personal Services
7. Bars and Lounges
8. Dry Cleaning
9. Indoor amusement and recreational facilities up to 3,500 square feet
10. Instructional Services/studios up to 3,500 square feet
11. Restaurants including drive-thru or carry-out

~~A. Any use permitted within the B-Business District as defined in Section 13.04.100 of the Town of Parker Land Development Ordinance, as amended, except:~~

- ~~1. Motels and hotels~~
- ~~2. Hospitals~~
- ~~3. Public or private schools~~
- ~~4. Mortuaries or crematoriums~~
- ~~5. Place of worship~~

~~B. In addition, the following uses shall be permitted by right:~~

Comment [NS1]: The Town is currently undergoing a rewrite to the Town's Land Development Ordinance and these districts may not exist once completed. Per direction we are now listing all uses permitted to avoid conflict later.

- ~~6.12.~~ Retail display and sale of storage sheds and similar structures
- ~~7.~~ Greenhouses, nurseries (plants) and garden centers, wholesale and retail
- ~~8.13.~~ Outdoor commercial display, including storage of inventory, subject to the design standards listed within Section VII of this document
- ~~9.14.~~ Auto parts stores
- ~~10.~~ Bakeries, wholesale & retail
- ~~11.15.~~ Brewery/distillery
- ~~12.~~ Car wash, automatic or coin-operated
- ~~13.~~ Drive-in eating and drinking establishments
- ~~14.~~ Indoor dog training and dog grooming
- ~~15.~~ Printing and publishing
- 16. Public parks, playgrounds, open space and outdoor recreation areas
- 17. Shopping centers
- 18. Upholstery shops

IV. ACCESSORY USES:

The following uses shall be allowed which are incidental and subordinate to the principal use of the land or building on the property:

- A. Food trucks, vendor stands and commercial kiosks, subject to Section 13.04.215, as amended of the Parker Land Development Ordinance.
- B. Motor vehicles: sales, leasing, rental servicing and repair of Rental Vehicles as an accessory activity
- ~~C.~~ Training/education
- ~~D.C.~~ Indoor small and medium engine motorized equipment sales and repair – Not to exceed 25% of the total building area on the property
- ~~E.~~ Indoor small engine motorized equipment repair – Not to exceed 20% of the total building area on the property
- ~~F.~~ Medium engine motorized equipment sales – Not to exceed 25% of the total building area on the property
- ~~G.~~ Medium engine motorized equipment repair – Not to exceed 20% of the total building area on the property
- ~~H.D.~~ Uses that are similar in nature and impact to those listed within the uses permitted by right shall be allowed as determined Other such uses as reviewed and approved by the Community Development Director
- ~~I.~~ Storage and warehousing. Storage and warehousing are permitted only where the use is accessory, ancillary, incidental, subordinate and integral to the operations of a primary nonresidential permitted use. Storage and warehousing as an accessory use should generally occupy not more than twenty-five percent (25%) of the site with the remaining seventy-five percent (75%) of the site being the primary use. Storage and warehousing are not permitted as a primary land use within the Town of Parker, as described within Section 13.04.300 of the Town of Parker Land Development Ordinance, as amended.

Comment [NS2]: This is an activity and not a land use.

Comment [NS3]: I removed this since this paragraph is word for word out of the Town code. Since there are no changes proposed it does not need to be included here.

V. USES PERMITTED BY SPECIAL REVIEW:

The following uses shall be allowed with a Use by Special Review:

- A. Automobile service, including repairs
- B. Convenience Store with or without gas station
- C. Tire repair shops
- D. Veterinary clinics and hospitals
- ~~E. Outdoor flea markets~~
- ~~F.E.~~ Observation kennels and pet day care

VI. DEVELOPMENT STANDARDS:

- A. Maximum Building Height: 35 feet
- B. Minimum Front Yard Setback:
 - 1. Parker Road - 25 feet for permanent enclosed structures
 - 2. Cockriel Drive -25 feet for permanent enclosed structures
- C. Minimum Side Yard Setback: 10 feet, except when adjoining a residential zone district, 25 feet for permanent enclosed structures (excluding perimeter fencing, walls or other enclosures for any garden center or nursery)
- D. Minimum Rear Yard Setback: 10 feet, except when adjoining a residential zone district, 25 feet for permanent enclosed structures (excluding perimeter fencing, walls or other enclosures for any garden center or nursery)
- ~~E.~~ Outdoor Commercial Display: 10 feet from Parker Road and Cockriel Drive, 25 feet when adjoining a residential zone district. Proper screening and buffer requirements shall apply as approved on a Site Plan.
- ~~E.F.~~ Storage areas: 50 feet from Parker Road and Cockriel Drive, 75 feet when adjoining a residential zone district. Proper screening and buffer requirements shall apply as approved on a Site Plan.

VII. OUTDOOR COMMERCIAL DISPLAY AREAS:

Allowed as outlined within Section 13.04.120 (d) (11), except as follows:

- ~~A.~~ Outdoor commercial display is defined as any items, goods or seasonal merchandise directly related to the commercial use conducted inside the principal building, which items, goods or merchandise are permanently displayed outside of the principal building for the purposes of sale to the general public at retail.
- ~~B.~~ This Section shall not be in conflict with or used to circumvent the requirements of Section 13.04.210 of the Town of Parker Land Development Ordinance, as amended.
- ~~C.~~ Outdoor commercial display shall only be considered as part of an approved site plan, to be reviewed in accordance with Chapter 13.06 of the Town of Parker Land Development Ordinance, as amended.
- ~~D.A.~~ Outdoor commercial display shall occur only within the designated areas approved as part of the approved site plan and shall not comprise more than thirty-five percent (35%) of the total land area of the property.
- ~~E.B.~~ Any outdoor commercial display areas that are not enclosed with a fence, wall or other perimeter enclosure shall be identified by a permanent marking material, identifying the entire outdoor display area, as shown on the approved site plan for the property. ~~Colored and/or stamped concrete paving, brick pavers or concrete pavers~~

Comment [N54]: Removed any section which is word for word out of the code. Only remaining items are those that are different.

~~are acceptable. Painted stripes will not be acceptable. No outdoor commercial display will be permitted outside of the delineated display area.~~

- ~~F. Outdoor commercial display activities shall be conducted so as to assure that the sidewalk or entrance into the principal building is not obstructed and that a minimum width of eight (8) feet shall be continuously maintained on the sidewalk or entrance into the principal building to allow for pedestrian access.~~
- ~~G. The use of semi-trailers or temporary buildings (other than as provided in Section III.B. above) shall not be permitted on a permanent basis. All temporary uses shall comply with Chapter 13.04.210 of the Town of Parker Land Development Ordinance, as amended.~~
- ~~H. All signage shall comply with Chapter 13.09 of the Town of Parker Land Development Ordinance, as amended.~~
- ~~I. This Section shall not be in conflict with federal, state or local governmental requirements, including, but not limited to, the International Building Code, Department of Health or Fire District standards.~~