

**Meeting of
THE CITY OF PARKER PLANNING COMMITTEE
December 13, 2022
5:00 pm
PARKER CITY HALL**

Chairman Rega called the meeting to order at 5pm

Invocation given by Mr. Stryker

Pledge of Allegiance

Roll Call:

Ms. Hutto – present
Mr. Palmer – present
Mr. Robicheaux – present
Mr. Stryker – present
Mr. Rega – present

Approval of the minutes

On a motion of Mr. Robicheaux and a second by Mr. Stryker, the council approved the minutes from November 8, 2022, with the removal of a stop work order being issued at Heritage Funeral Home per Mr. Rega.

Ms. Hutto - aye
Mr. Palmer - aye
Mr. Robicheaux – aye
Mr. Stryker - aye
Mr. Rega - aye

Items from the audience:

- 1. Diane Coates of 1521 Dover Road** - Requested that meeting times for the planning committee be moved to 5:30 instead of 5pm. Discussion over reasoning behind the 5 pm start time.
- 2. Mike Gordon of 1219 Stratford Ave** – voiced displeasure over the lack of progress in redevelopment in Parker, does not agree with the lot size requirement for a single-family home, would like it decreased to 5000 sq ft. Chairman Rega explained that residential lots are 7500 sq ft minimum but not in MU1 and MU2, goal of the LDR is to keep new construction from harming any neighbors by a new build. Mr. Gordon feels ad valorem is needed or the city should dissolve. Discussion over building too many homes on a site may cause issues to neighbors.
- 3. Lawrence?** – Asked about the procedure for establishing a small restaurant in Parker.

Regular Agenda:

- 1. 5116 Thornton Lane Development Review** – Mr. Gordon, Mr. Kahn in attendance. Mr. Palmer made a motion to table any discussions due to timber of the conversation and Mr. Sloan not being in attendance, no second was received, motion died. Mr. Palmer stated that all data is not being passed on to the council after planning makes a recommendation. Minutes are given to council

and all recordings are available to council per Mr. Rega. Mr. Palmer stated due to not feeling well and the contentious nature of the discussion he would be excusing himself as the committee would still have a quorum to continue. Mr. Kahn voiced displeasure over the review time of the City's engineer. 27 comments back and forth between Anchor Engineering and Mr. Kahn have been made since November. Discussion that a strict HOA will need to be formed to maintain the pond and common areas, Mr. Kahn agreed. A maintenance bond and covenant deed will be needed. Mr. Gordon wanted to donate the pond to the city, but this has not been accepted by the city. Per LDR 5 homes may be built on 1 acre of land, will need to meet setbacks, provide sidewalks, utility plans, plat the lots. Discussion over the vision triangle at the adjacent intersections. Each lot must stay below the maximum 40% coverage for impervious surfaces. Mr. Rega reminded Mr. Gordon that a maintenance bond must be kept after the subdivision is built. Protected trees may need to be removed and will need to be replaced per the provisions of the LDR. Joe Hofbauer of 5033 Sharon Drive spoke of his concerns with stormwater runoff from possible site development. Reminded the committee that 8 homes were originally on plan and now down to 7. The soil is permeable, but 7 homes sites will change the absorption. Concern over what will happen to the surrounding roads. Mr. Hofbauer believes the site may contain a utility area that was set aside in 1972. Mr. Hofbauer does not see an MS4 permit, they cannot discharge water into the bay near his home. Site may require an environmental impact assessment per Mr. Hofbauer. Mr. Hofbauer feels the homes will have a swale between them and the proposed pond could fail and float the adjacent roads. Mr. Hofbauer feels the proposed pond is too small and the nearby discharge point is not usable. Mr. Libby has concerns about Anchor's approval of development. Mr. Hofbauer has concerns over Mr. Kahn's statement that the project will not have an impact when in fact his own report states it does impact on the ground. Mr. Hofbauer feels the discharge point near his home is not labeled correctly, it is not a county discharge point per his research. Mr. Hofbauer gave Mr. Kahn an application for discharge into an "other" discharge point. Mr. Kahn states the purpose of the pond is to catch the runoff. Mr. Hofbauer states there is not much runoff now due to a ½ acre of area to absorb the water during a rain event. Ms. Coates asked if the homes will be rented as was stated in a previous meeting. Mr. Kahn stated a discharge point would have been put in one corner, but that plan was rejected, the pond per Mr. Kahn will meet freeboard requirements. Mr. Hofbauer feels the pond is designed to hold a 24-hour rain event. Discussion continued over explanation of the pond. Mr. Kahn feels it would be sufficient for a 100-year rain event. Ms. Gibson asked if the plan is to meet the new or old LDR. Anchor review date on the paperwork shows November 3, 2022, LDR was passed November 1, 2022. Mr. Rega asked for the commissioners' comments.

Mr. Stryker: Concern over runoff. Lot sizes are not in keeping with the neighborhood, smallest lots he sees are 100' frontage. These will be extremely small lots, may not be in keeping with the character of the neighborhood. He does feel anything built will be nicer than the trailer park that was previously there.

Ms. Hutto: HOA must be established, must maintain the pond, it must stay active to maintain the pond. Asked if the ditch could be deeper? Concern over water table if pond is deeper. Concern over the pipes running under homes. Mr. Kahn states they will be in the right of way not under homes. A fire hydrant may need to be installed for more protection in the area.

Mr. Kahn, Mr. Rega and Mr. Robicheaux looked over physical plans at the council table. Mr. Libby got up and spoke with Ms. Hutto

Ms. Hutto: Lots will be about .2 acre, not completely out of character of the area. Wants the council to understand all there concerns and that they look over all documents. We cannot dictate what an individual can do with their land.

Alan Edwards, 20' of a 410' pond is really not a concern, can make the pond bigger and have no concern.

Mr. Robicheaux: Animated discussions, but no issues with density, size of lots, number of lots or setbacks, the entire discussion is related to flood matters and what to do with rainfall. Is the pond adequate. Mr. Kahn's calculations meet the 25 year and exceed the 100 year by a factor of 4. It doesn't solve all the complex issues of where the water goes after it percolates into the ground. That is the major sticking point.

Mr. Rega: Looked over all document, nothing violates the LDR, even the new LDR. Meets size, setbacks, density. Our job is to review the information of the 2 engineers, they believe the design plans meet the design and flood issues. It is the developer's responsibility to not harm any neighbors, the LDR dictates that, if they do, they will have to mitigate that circumstance. Sites will not cover more than 40% impervious, they will be following the rules. The final plans of the structures are not shown, but smaller homes will allow for even more impervious, looking at lots and not actual home site areas. Anchor analyzed the facts, used soil samples and are accurate. Mr. Rega asked for a motion on what is before us today, the lot sizes and the flood mitigation plans based on what we know today.

Motion made by Mr. Robicheaux, move that the planning commission go forward with a recommendation to the city council that the data as presented today, for the Thornton Lane project, appears to meet the letter of all the provisos inside the Land Development Regulation, to include the stormwater runoff. Second by Ms. Hutto, with caveat that all of the concerns of the planning be sent to council, clerk to highlight the concerns. Mr. Rega reminded the developer that the LDR requires all permits be completed before the development can begin and would like to point that out to the council.

Ms. Hutto – aye

Mr. Robicheaux – aye

Mr. Stryker – nay

Mr. Rega – aye

Mr. Robicheaux made an additional motion, that the council be advised that there is a disagreement, from concerned citizens, about the accuracy of the stormwater calculations. Second by Ms. Hutto.

Ms. Hutto – aye

Mr. Robicheaux – aye

Mr. Stryker – aye

Mr. Rega – aye

2. Chairman Selection – motion made by Mr. Robicheaux, second by Mr. Stryker to keep Mr. Rega as chairman.

Ms. Hutto – aye

Mr. Robicheaux – aye

Mr. Stryker – aye

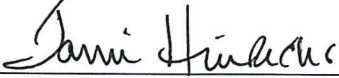
Mr. Rega – aye

Planning Meeting Minutes

December 13, 2022

Page 4

Closing remarks – Mr. Rega thanked all for their work evaluating the information. All are residents and trying their best for the city now and in the future. Mr. Libby again stated Anchor should have been at the meeting, Mr. Hutto made a request for Anchor to attend when the subject comes before the council. Patricia Fousek of 1324 Stratford Ave echoed the need for an HOA to maintain the area. Mr. Rega reiterated the performance bond requirement and 3-year maintenance bond requirements. Ms. Fousek has concern over size of the pond and the cost of maintenance. The pond is a dry pond and will not be as expensive as a wet pond. Tree replacement can happen anywhere in Parker not just at build the site.



Jami Hinrichs, City Clerk