

**TOWN OF PARKER COUNCIL
MINUTES
JULY 2, 2018**

Mayor Mike Waid called the meeting to order at 5:33 p.m. Councilmembers Williams and Rivero were absent.

Town Attorney announced the topics for discussions in Executive Session were five (5) items. Under C.R.S. § 24-6-402(4)(f) there was one (1) item, which was the Town Administrator Evaluation Process. Under C.R.S. § 24-6-402(4)(b) there were two (2) items, the first was to receive legal advice on specific legal questions regarding the Proposed Shopping Center Assistance Program; the second was to receive legal advice on specific legal questions regarding Vista South, LLC, et al., v. City of Centennial, et al., Douglas County District Court Case No. 2018CV030354. Under C.R.S. § 24-6-402(4)(e) there were two (2) items, the first was the Proposed termination of access easement on Lincoln Meadows Property; and the second item was the proposed sale of a portion of Sun Way right-of-way.

EXECUTIVE SESSION

Josh Martin moved and Amy Holland seconded to go into Executive Session to consider personnel matters, pursuant to C.R.S. § 24-6-402(4)(f), and to hold a conference with the Town's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e).

The motion was approved unanimously.

Debbie Lewis moved and Amy Holland seconded to come out of Executive Session at 6:42 p.m.

The motion was approved unanimously.

REGULAR MEETING

Mayor Waid reconvened the meeting at 7:00 p.m.

Youth from the audience led the Pledge of Allegiance.

SPECIAL PRESENTATIONS - None

PARKER CHAMBER OF COMMERCE UPDATES - None

DOWNTOWN BUSINESS ALLIANCE UPDATES - None

PUBLIC COMMENTS - None

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

Each Councilmember reported on meeting they attended since the last Town Council meeting.

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - June 11 & June 18, 2018*
- B. *ASSIGNMENT AND ASSUMPTION AGREEMENT FOR MEADOWLARK ANNEXATION AGREEMENT*
 Department: Town Attorney, Jim Maloney
- C. *ORDINANCE NO. 1.513 - First Reading*
 A Bill for an Ordinance to Approve the Memorandum of Agreement-CMS #14-56516 for Local Jurisdiction Regulation of Conveyances Pursuant to the Elevator and Escalator Certification Act, Title 9 Article 5.5, Colorado Revised Statutes, between the Colorado Department of Labor and Employment, Division of Oil and Public Safety, and the Town of Parker
 Department: Community Development, Randy Sale
 Second Reading: July 16, 2018
- D. *ORDINANCE NO. 5.06.41 - First Reading*
 A Bill for an Ordinance to Amend Various Sections of Title 9 of the Parker Municipal Code Concerning Animals
 Department: Police Department, Doreen Jokerst
 Second Reading: July 16, 2018
- E. *ORDINANCE NO. 9.267.1 - First Reading*
 A Bill for an Ordinance Approving the Amendment to Agreement Regarding Design and Construction of Drainage and Flood Control Improvements for Cherry Creek at the KOA Property Town of Parker Agreement No. 17-059.19A Project No. 106722 by and between Urban Drainage and Flood Control District and the Town of Parker
 Department: Engineering/Public Works, Jacob James
 Second Reading: July 16, 2018
- F. *CONTRACTS OVER \$100,000*
 - 1. *Contract Amendment No. 1 - Development Design Standards Rewrite Project*
 Amount: Amended \$23,558.21
 Contractor: Urban Design Associates, Ltd.
 Department: Community Development, Carolyn Washee-Freeland

Josh Martin moved to approve Consent Agenda Items 7A through 7F.

Amy Holland seconded the motion.

The motion was approved unanimously.

PUBLIC HEARINGS**A. LOT 1 - TRACTS 8 & 9 BLAIR INDUSTRIAL CENTER TRACTS 7, 8, 9, First Amendment - Use by Special Review**

Applicant: Ellis Properties LLC, Carl Ellis
Location: Progress Way south of Progress Lane
Department: Community Development, Ryan McGee
TRAKiT No. Z16-024

7:14 PM

The applicant, Ellis Properties LLC, is seeking a Use by Special Review approval to allow for the legalization and continuation of an existing non-permitted outdoor storage use on Lot 1 of the Blair Industrial Park, 1st Amendment. The site is located on the west side of Progress Way south of Progress Lane.

The outdoor storage uses occurring on this site consist of temporarily stored vehicles associated with a towing business on the southern half of the lot. The northern half of the lot is being used for the storage of construction materials. The Use by Special Review is being processed concurrently with a site plan which consists of storm water quality enhancements and landscape improvements along Progress Way.

The Applicant Steve Ceresa, Jehn Engineering, 5690 Webster Street, Arvada, was present and spoke. He stated the property has been used for the last 23 years for this type of use. There are spill controls in place with a spill manual is onsite and will use dirt and damming of the pond that is onsite for any spills that do occur. He added that landscaping was a big issue as well as parking outside the fence. Landscape has been added on the east to help with the parking.

Public Comment - None

Josh Martin moved to approve, based on staff findings, with the following conditions contained in the staff report:

1. That the outdoor storage uses be allowed to continue to the extent permitted by the Town of Parker Land Development Ordinance Section 13.04.230 Nonconforming situations.
2. The property owner and the property owner's employees must implement the procedures and methods as outlined in the approved Materials Handling and Spill Prevention Manual if there is potential for and/or in the event that a waste fluid spill or leak occurs on the property. The property owner must keep the approved Materials Handling and Spill Prevention Manual on file at the property owner's location of business.
3. The property owner must not allow the parking of vehicles, temporary or otherwise outside of the fenced enclosure on Progress Way or on any of the surrounding streets or private access drives.

4. The property owner must not allow the selling or auctioning of vehicles or vehicle parts and accessories on the property.
5. The property owner must not allow for construction materials, equipment or vehicle(s) stacking that would exceed the height of the existing, six (6)-foot-high screen fence.
6. The property owner must irrigate and maintain the landscaping in accordance with the approved site plan and the Town of Parker Land Development Ordinance Section 13.06.070 Landscape regulations.
7. This Use by Special Review is subject to annual review by the Planning Department or as often as the Town Council deems appropriate to ensure compliance with the seven (7) Use by Special Review criteria and the stated conditions of approval.

John Diak seconded the motion.

The motion was approved unanimously.

B. TRAILS AT CROWFOOT - Preliminary Plan Amendment No. 1

Applicant: Chris Elliott, E5X Management Inc.
Location: Bayou Gulch Road and North Pinery Parkway
Department: Community Development, Stacey Nerger
TRAKiT No.: SUB17-057

7:18 PM

The applicant, HR 935 L.L.C., proposes an amendment to the Trails at Crowfoot Preliminary Plan to create building lots for residential development. The proposed amendment will replat three of the four parcels located at the future intersection of Bayou Gulch Road and North Pinery Parkway to allow 136 attached single-family homes in 68 duplex buildings on 27.18 acres.

The project is located within the Hess Ranch Planned Development (PD) and is part of a Mixed-Use Planning Area(s). The PD zoning allows for commercial and/or residential uses at the site. The attached single-family homes or duplexes are a permitted use and are consistent with the Parker 2035 Master Plan.

The Applicant, John Prestwich, PCS Group, 1001 16th Street, Denver, was present and spoke. He provided an overview of the project .

Public Comment - None

John Diak moved to approve the Trails at Crowfoot Preliminary Plan Amendment No. 1, based on staff findings, with the following conditions contained in the staff report:

1. All Final Plats and Landscape Plans must be substantially similar in design and layout and the inclusion of amenities to this Preliminary Plan, as determined by Town staff.
2. The applicant shall work with IREA to determine the location and size of the required utility easements prior to submittal of a Final Plat.
3. Utility easements as requested by Public Service Company of Colorado (PSCo), IREA and Parker Water and Sanitation District shall be shown on the Final Plat.
4. The applicant shall meet required setbacks, stagger and zoning as stated with the Hess Ranch PD Guide First Amendment and the Parker Land Development Ordinance.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

C. CORPORATE PARK AT STONEGATE - Rezoning

Applicant: Zak Kessler, Woodspear Properties
Location: North of E-470, south of Parkerhouse Road and west of Jordan Road
Department: Community Development, Stacey Nerger
TRAKiT No. Z17-019

ORDINANCE NO. 3.316.1 - Second Reading

A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Corporate Park at Stonegate Property from Modified Light Industrial to PD-Planned Development District Pursuant to the Town of Parker Land Development Code and Amending the Zoning Ordinance and Map to Conform Therewith

7:30 PM

The applicant, Woodspear Properties, proposes to rezone the subject property from Modified Light Industrial to the Corporate Park at Stonegate Planned Development (PD). The intent of this rezoning is to allow additional commercial and light industrial uses on the property to be consistent with the uses permitted by Douglas County zoning prior to the property being annexed into Parker in 2015. The properties are currently developed with two-flex buildings for office and light industrial use with access from Parkerhouse Road. The Corporate Park at Stonegate Property is located immediately north of E-470 and west of Jordan Road with access from Parkerhouse Road. The proposed PD zoning is commercial and light industrial in nature consistent with the Parker 2035 Master Plan. The PD zoning will provide:

1. Adequate opportunities for expansion of the Town's economic and tax base;
2. Commercial and light industrial uses in close proximity to E-470 that generate primary employment;
3. An orderly transition of land uses between E-470 and the Cottonwood Highlands residential neighborhood to the north;
4. Support for business by allowing the existing uses to continue and providing certainty that similar commercial and light industrial uses will be allowed at the subject property;
5. Preservation of the existing investment and business activity on the subject property with no impact to adjacent areas; and
6. Opportunity to attract new commercial and light industrial uses to the subject property in the future for diversification of the Town's economic base.

The Applicant, Zak Kessler, 5619 DTC Parkway, Greenwood Village, was present and provided an overview of the proposal.

Public Comment - None

Josh Martin moved to approve Ordinance No. 3.316.1 on second reading.

Amy Holland seconded the motion.

The motion was approved unanimously.

D. PINE LANE AND PARKER ROAD PROPERTIES - Annexation and Zoning

Applicants:	HDG of Parker, LLC; Pine Lane Plaza, LLC; Peakview Parker, LLC; Durham Douglas Properties; Lattner Investment Group; S & Jabez, LLC; Car Bis Co Park, LLC Town of Parker Community Development Department (as to zoning)
Location:	Northwest and Southeast Corners of Parker Road and OP
Department:	Community Development, Stacey Nerger
TRAKit No.:	ANX18-002 and Z18-010

(1) RESOLUTION NO. 18-046

A Resolution To Set Forth Town Council's Findings of Fact and Conclusions as to the Eligibility of the Pine Lane and Parker Road Properties for Annexation into the Town of Parker

(2) ORDINANCE NO. 2.261 - Second Reading

A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the Pine Lane and Parker Road Properties in Douglas County

(3) ORDINANCE NO. 3.335 - Second Reading

A Bill for an Ordinance Zoning Certain Property Within the Town of Parker, Colorado, Known as the Pine Lane and Parker Road Properties to Modified C-Commercial District Pursuant to the Town of Parker Land Development Code and Amending the Zoning Ordinance and Map to Conform Therewith

(4) ANNEXATION AGREEMENTS - Cars MTI-1, L.P.; Durham Douglas Properties, LLC; HGD of Parker LLC; Lattner Investment Group LLC; Peakview Parker LLC; Pine Lane Plaza, LLC; S & Jabez, LLC

7:36 PM

The Town is in receipt of annexation petitions from multiple property owners that own land at or near the intersection of Parker Road and Pine Lane in unincorporated Douglas County which encompasses 15.5 acres. The property owners are seeking to annex and zone their land into Parker which is contiguous to the subject properties. The request is being processed as a majority petition annexation including the petitioner's land and certain other properties shown on the Annexation Plat.

The property owners that have submitted annexation petitions include:

1. HGD of Parker, LLC
2. Pine Lane Plaza, LLC
3. Peakview Parker, LLC
4. Durham Douglas Properties
5. Lattner Investment Group
6. S & Jabez, LLC
7. Car Bis Co Park, LLC

The Town Council approved Resolution No. 18-042 on May 21, 2018, determining that the Annexation Petitions substantially comply with the requirements of C.R.S. § 31-12-107(1)(a) also known as the Municipal Annexation Act of 1965. The Resolution set a public hearing date of July 2, 2018, for the Town Council to hear and decide the request for annexation as required by State law.

The Town, by adopting Resolution No. 18-042, may institute the process for zoning the subject properties pursuant to C.R.S. § 31-12-115. The property owners, with the Community Development Department, submitted an application to zone the land to Modified C-Commercial. The proposed zoning will accommodate the existing businesses located in the annexation area and permit a broad range of commercial retail, service, office and restaurant uses in the future.

Public Comment - None

Debbie Lewis moved to approve Resolution No. 18-046.

Josh Martin seconded the motion.

The motion was approved unanimously.

Amy Holland moved to approve Ordinance No. 2.261 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

John Diak moved to approve Ordinance No. 3.335 on second reading.

Amy Holland seconded the motion.

The motion was approved unanimously.

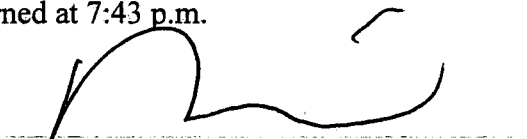
Amy Holland moved to approve the seven (7) Annexation Agreements.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

The Regular Town Council meeting was adjourned at 7:43 p.m.


Carol Baumgartner, Town Clerk


Mike Waid, Mayor

Prepared by: Chris Vanderpool, Deputy Town Clerk