

**TOWN OF PARKER COUNCIL
MINUTES
JUNE 3, 2019**

Mayor Pro Tem John Diak called the meeting to order at 5:31 P.M. Councilmember Joshua Rivero and Mayor Mike Waid were absent.

Town Attorney Jim Maloney announced the topics for discussion in Executive Session were three (3) items under C.R.S. § 24-6-402(4)(b), the first was to receive legal advice on specific legal questions concerning potential amendments to the Parker Municipal Code concerning the sale of "kratom" to individuals under the age of 18, the second was to receive legal advice on specific legal questions concerning C.R.S. Section 31-12-104 and C.R.S. Section 31-12-107 concerning the potential annexation of real property located west of the corporate limits of the Town, and the third was to receive legal advice on specific legal questions concerning South Metro Fire Rescue Fire Protection District v. Parker Authority for Reinvestment, et al., Douglas County District Court Case No. 17CV30549.

EXECUTIVE SESSION

Debbie Lewis moved and Renee Williams seconded to go into Executive Session 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).

The motion was approved unanimously.

Jeff Toborg moved that Cheryl Poage does not have a conflict with Item #3.

The motion died for lack of a second.

Cheryl Poage left the meeting before Item #3 was discussed.

Debbie Lewis moved and Renee Williams seconded to come out of Executive Session at 7:03 P.M.

The motion was approved unanimously.

Mayor Pro Tem Diak reconvened the meeting at 7:12 P.M.

A Boy Scout in the audience led the Council and audience in the Pledge of Allegiance.

PARKER CHAMBER OF COMMERCE UPDATES

There was no report.

DOWNTOWN BUSINESS ALLIANCE UPDATES

Carrie Glassburn gave an update on the DBA's activities.

PUBLIC COMMENTS

There were none.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

Councilmembers reported on meetings they each attended since the last Council meeting.

CONSENT AGENDA

A. HESS RANCH METROPOLITAN DISTRICT NOS. 1-3

Department: Town Attorney, Kristin Schledorn

Second Reading: June 17, 2019

1. ORDINANCE NO. 9.287 - First Reading

A Bill for an Ordinance Approving the Intergovernmental Agreement By and Between the Town of Parker, Colorado, and Hess Ranch Metropolitan District No. 1 to be Known as Trails at Crowfoot Metropolitan District No. 1

2. ORDINANCE NO. 9.288 - First Reading

A Bill for an Ordinance Approving the Intergovernmental Agreement By and Between the Town of Parker, Colorado, and Hess Ranch Metropolitan District No. 2 to be Known as Trails at Crowfoot Metropolitan District No. 2

3. ORDINANCE NO. 9.289 - First Reading

A Bill for an Ordinance Approving the Intergovernmental Agreement By and Between the Town of Parker, Colorado, and Hess Ranch Metropolitan District No. 3 to be Known as Trails at Crowfoot Metropolitan District No. 3

B. ORDINANCE NO. 3.345.1 - First Reading

A Bill for an Ordinance Affirming the Passage of Emergency Ordinance No. 3.345, Series of 2019, A Bill for an Emergency Ordinance to Impose a Temporary Suspension for One Hundred Eighty (180) Days in Duration on the Processing and Approval of any Application for a Town of Parker Permit or License Related to the Operation of a Business that Would Be Engaged in the Growing, Storage, Extraction, Processing or Manufacturing of Industrial Hemp or the Extraction, Processing or Manufacturing of Industrial Hemp in Commercial Products Containing Industrial Hemp; Directing the Prompt Investigation of the Town's Regulatory Authority Over Such Businesses Pursuant to the Authority Granted by Article XX, Section 6, of the Colorado Constitution; and Declaring the Intention of the Town Council to Consider the Adoption of Appropriate Town Regulations With Respect to Such Businesses if Permitted by Law

Department: Town Attorney, Kristin Schledorn

Second Reading: June 17, 2019

C. RESOLUTION NO. 19-037

A Resolution Accepting the Conveyance of a Drainage Easement from DBC Parker, Limited Liability Company, for a Portion of Lot 2, Bailey Subdivision

Department: Engineering/Public Works, Tyler Sandt

D. RESOLUTION NO. 19-038

A Resolution Accepting the Conveyance of a Drainage Easement from Parker Mainstreet Partners, LLC, for a Part of Lot 31A-1, Block 1, Twenty Mile Village Filing No. 2, 12th Amendment

Department: Engineering/Public Works, Tyler Sandt

E. RESOLUTION NO. 19-039

A Resolution Accepting the Conveyance of a Drainage Easement from FCAC-Parker LLC, for Lot 3, Block 10 of Stroh Crossing Filing No. 1

Department: Engineering/Public Works, Tyler Sandt

Renee Williams moved and Debbie Lewis seconded to approve Consent Agenda Items 6A through 6E.

The motion was approved unanimously.

PUBLIC HEARINGS

JACKALOPE PLANNED DEVELOPMENT AMENDMENT NO. 1 - Rezoning

Applicant: Marley Hodgson, Jackalope Properties, LLC
Location: Southeast corner of Parker Road and Cockriel Drive
Department: Community Development, Stacey Nerger
TRAKiT No.: Z18-026

7:20 P.M.

The applicant proposed a commercial development containing a hardware store and garden center. To support this type of development, the applicant proposes an amendment to the Jackalope Planned Development (PD) Guide and Plan ("PD Amendment"). The purpose of the proposed PD Amendment is to permit a greater range of commercial uses, especially retail, including the hardware store and garden center. The proposed PD Amendment will expand the uses allowed and the property to incorporate those uses permitted by right in the C-Commercial Zone including accessory uses, definitions and development standards.

The applicant has also submitted Replat and Site Plan Amendment applications in connection with their proposal for commercial development. These applications are currently under review and will be approved administratively subject to Town Council action on the proposed PD Amendment at public hearing.

The Planning Commission held a public hearing on May 9, 2019 and recommended that Town Council approve the proposed PD Amendment.

Applicant

Marley Hodgson, 8080 S Holly St., Centennial, CO, gave the background on his family-owned business. They have five divisions: Ace Hardware, Highlands Garden Center, Lawn Sprinkler Center, Rental/Repair Center and Small Motor Repair.

Public Comment

The following individuals spoke in favor of this project.

- * Ty Asland, Craftsman Drive
- * David Ardell
- * James Yates, E. Hatchet (Robinson Ranch)

The Public Hearing was closed at 7:34 P.M.

ORDINANCE NO. 3.113.1 -Second Reading

A Bill for an Ordinance to Amend the Jackalope Planned Development Guide and Plan, Pursuant to the Town of Parker Land Development Ordinance, and Amending the Zoning Ordinance and Map to Conform Therewith

Cheryl Poage moved to approve Ordinance No. 3.113.1 on second reading.

Jeff Toborg seconded the motion.

The motion was approved unanimously.

ORDINANCES**A. ORDINANCE NO. 9.286 - Second Reading**

A Bill for an Ordinance to Approve the Intergovernmental Agreement Between the Town of Parker and the Board of County Commissioners of the County of Douglas Regarding Cost Sharing for the Dransfeldt Road Extension

Department: Engineering/Public Works, Chris Hudson

The purpose of this ordinance is to approve an intergovernmental agreement (IGA) with Douglas County for the conceptual preliminary design of the proposed Dransfeldt Road extension project. This IGA is needed to formalize negotiations and jointly fund the conceptual preliminary design effort.

The Town and Douglas County have both appropriated \$125,000 as part of their 2019 budgets (\$250,000 total) to fund this conceptual/preliminary design effort.

Public Comment - None

Cheryl Poage moved to approve Ordinance No. 9.286 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 3.343 - Second Reading
A Bill for an Ordinance Amend Section 13.04.150 of the Parker Land Development Ordinance Concerning the Rezoning of Areas From All Other Zoning Districts to PD-Planned Development

Department: Community Development, Bryce Matthews

The proposed amendment to the Land Development Ordinance (LDO) will create minimum area criteria for the rezoning of properties in standard zone districts that are established in the LDO, such as the C-Commercial or LI-Light Industrial Districts, to a PD-Planned Development District as follows:

1. The area of the proposed PD zone is a minimum of ten (10) acres, or
2. The proposed PD zone is being used to clean-up the zoning of an area comprised of multiple lots burdened by split lot zoning (more than one zone district) and the area of the proposed PD zone is a minimum of four (4) acres.

The Planning Commission held a public hearing on May 9, 2019 and recommended that Town Council approve the proposed amendment to the LDO.

Public Comment - None

Debbie Lewis moved to approve Ordinance No. 3.343 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

C. ORDINANCE NO. 9.264.1 - Second Reading
A Bill for an Ordinance Approving the First Amendment to Intergovernmental Agreement Between the Town of Parker, Colorado, and Anthology West Metropolitan District Nos. 5 and 6

Department: Town Attorney, Kristin Schledorn

The Town, Anthology West Metropolitan District Nos. 5 and 6 (the "Districts"), Cherry Creek South Metropolitan District Nos. 2 and 3 (now known as Anthology West Metropolitan District Nos. 2 and 3), and Anthology West Metropolitan District No. 4 entered into an Intergovernmental Agreement dated July 12, 2016 (the "IGA"). This ordinance approves the First Amendment to Intergovernmental Agreement between the Town and Anthology West Metropolitan District Nos. 5 and 6.

Public Comment - None

Renee Williams moved to approve Ordinance No. 9.264.1 on second reading.

Debbie Lewis seconded the motion.

The motion passed 4-1. (Poage voted no.)

D. ORDINANCE NO. 9.290 - Second Reading

A Bill for an Ordinance Approving the Agreement Regarding Final Design and Construction of Fee-In-Lieu Drainage and Flood Control Improvements for Lemon Gulch Upstream of Crowfoot Valley Road (Agreement No. 18-12.24, Project No. 107087) By and Between Urban Drainage and Flood Control District and the Town of Parker

Department: Engineering/Public Works, Jacob James

This intergovernmental agreement between the Town and Urban Drainage is to fund the design of major drainage improvements to Lemon Gulch and Lemon Gulch Tributary within the Hess Ranch property. The property owner of the Hess Ranch property has provided the funds for this engineering effort to satisfy the development obligation to design the improvements. The property owner will provide funds for construction of the improvements at a later date as determined by the partial waiver resolution signed by the Town and consented to by the property owner.

Public Comment - None

Debbie Lewis moved to approve Ordinance No. 9. 290 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

E. ORDINANCE NO. 5.28.25 - Second Reading

A Bill for an Ordinance to Amend Chapter 5.02 of the Parker Municipal Code Concerning 3.2 Beer and Changing the Reference from Town Council to Special Licensing Authority in the Parker Municipal Code Where Appropriate

Department: Town Attorney, Jim Maloney

In 2018, the Colorado General Assembly passed SB 18-243, which made numerous substantive changes to the Colorado Beer Code, one of which was to remove "3.2% Beer" from the Colorado Beer Code, effective January 1, 2019. The purpose of this ordinance is to amend the Town's "3.2% Beer" regulations to conform with SB 18-243, and to address some "cleanup" items changing the reference from Town Council to Special Licensing Authority where appropriate.

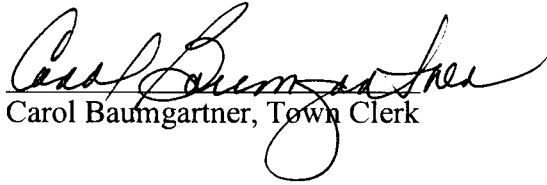
Public Comment - None

Debbie Lewis moved to approve Ordinance No. 5.28.25 on second reading.

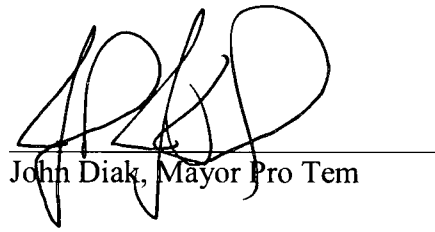
Renee Williams seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 7:57 P.M.



Carol Baumgartner, Town Clerk



John Diak, Mayor Pro Tem