

TOWN OF PARKER COUNCIL AGENDA
November 4, 2019

Notes:

Town Council meeting packets are prepared several days prior to the meeting. This information is reviewed and studied by the Councilmembers eliminating lengthy discussions to gain a basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the part of Council.

Ordinances listed for first reading are being approved to introduce them. Public comment will be held upon second reading.

Start times for regular agenda items are tentative; some items may be held earlier than scheduled time.

1. TOWN COUNCIL MEETING SCHEDULE

- A. 5:30 P.M. – Call to Order Town Council Meeting and Roll Call**
- B. Executive Session – Immediately following Call to Order/Roll Call – (See Attached)**
- C. Reconvene Town Council Meeting at 7:00 P.M. or as soon thereafter as the regular public meeting can be conducted.**

2. SPECIAL PRESENTATIONS

- **Fall 2019 Police Department Citizens Academy - Participant Recognition**

3. PARKER CHAMBER OF COMMERCE UPDATES

4. DOWNTOWN BUSINESS ALLIANCE UPDATES

5. PUBLIC COMMENTS (No action will be taken on these items.)

Public Comment is an opportunity for Town residents and other interested individuals to speak about items that are NOT on the agenda. This comment period is limited to 30 minutes total time, with each individual allowed a maximum of 3 minutes to speak. You must sign up ahead of time in order to comment, and that sign up begins 30 minutes before the start of the meeting. The Council will accommodate as many speakers as possible during this time—with preference to Town residents—but if public comment extends beyond the allotted 30 minutes, town council will continue the comment period at the end of the meeting, prior to adjourning.

6. REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

7. **CONSENT AGENDA**

Consent Agenda Items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless Council votes to remove an item for individual discussion. Ordinances on the Consent Agenda are for introduction only and will not be removed for discussion.

A. *APPROVAL OF MINUTES - October 7, 2019 and October 21, 2019*

B. *ORDINANCE NO. 3.326.2 - First Reading*

A Bill for an Ordinance to Amend Sections 13.06.020, 13.10.160, 13.10.200 and 13.16.040 of the Parker Municipal Code Concerning the Town of Parker Development Design Standards

Department: Community Development, Carolyn Washee-Freeland

Second Reading: November 18, 2019

C. *ORDINANCE NO. 1.523.5 First Reading*

A Bill for an Ordinance to Adopt the 2019 Revised Budget for the Town of Parker and to Make Appropriations for the Same

Department: Finance, Rhonda Willey

Second Reading: December 2, 2019

D. *ORDINANCE NO. 9.302 - First Reading*

A Bill for an Ordinance Approving the Agreement Regarding Funding of Major Drainageway Planning for Cherry Creek Upstream of Cherry Creek Reservoir By and Between Urban Drainage and Flood Control District d/b/a Mile High Flood District, Southeast Metro Stormwater Authority, Town of Parker, and Douglas County

Department: Engineering/Public Works, Jacob James

Second Reading: November 18, 2019

E. *RESOLUTION NO. 19-090*

A Resolution to Amend Resolution 14-028, Series of 2014, Concerning the Town of Parker, Colorado, Policy for Access to Criminal Justice Records

Department: Police, Commander Andrew Coleman

F. *RESOLUTION NO. 19-094*

A Resolution to Adopt the Town of Parker, Colorado, 2019 Three-Mile Area Plan

Department: Community Development, Carolyn Washee-Freeland

- G. *RESOLUTION NO. 19-095*
A Resolution Approving the Form of Capital Pledge Agreement Between Reata Ridge Village Metropolitan District No. 1 and Reata Ridge Village Metropolitan District No. 2

Department: Town Attorney, Kristin Schledorn

- H. *CONTRACTS OVER \$100,000*

1. *2019 Townwide Concrete Replacement Program (CIP19-006) Contract Modification*

Amount: \$235,000

Contractor: Stone & Concrete, Inc

Department: Engineering and Public Works, Danny Smith

8. **PUBLIC HEARINGS**

- A. **ORDINANCE NO. 1.539 - First Reading**
A Bill for an Ordinance to Adopt the 2020 Budget and to Make Appropriations for the Same

Department: Finance, Mary Lou Brown

Second Reading: December 2, 2019

- B. **NEWLIN CROSSING FILING NO. 1 - Minor Development Plat**

Applicant: Plan West - Representative, David Brehm

Location: Generally located at the northeast corner of Mainstreet and Chambers Road

Department: Community Development, Carolyn Parkinson

TRAKiT No.: SUB19-013

9. **ORDINANCES**

- A. **ORDINANCE NO. 3.01.120 - Second Reading**
A Bill for an Ordinance to Amend Title 13 of the Parker Municipal Code Regarding Hemp Operations in Light Industrial Zone Districts

Department: Community Development, Bryce Matthews

- B. ORDINANCE NO. 9.286.1 - Second Reading**
A Bill for an Ordinance to Approve the First Amendment to an Intergovernmental Agreement Between the Town of Parker and the Board of County Commissioners of the County of Douglas, State of Colorado, Regarding Cost Sharing for the Dransfeldt Road Extension

Department: Engineering/Public Works, Chris Hudson

- C. ORDINANCE NO. 3.01.121 - Second Reading**
A Bill for an Ordinance to Amend Subsections 13.12.030(c), (d) and (e), 13.12.040(b), (c) and (e) of the Parker Municipal Code Concerning Commercial Wireless Communications Facilities

**Department: Community Development, Bryce Matthews
Engineering/Public Works, Alex Mestdagh**

10. ADJOURNMENT

Parker Town Council

Executive Session Agenda

November 4, 2019

“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).”

1. Purchase and Sale Agreement – The Schoolhouse Property

“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).”

2. *Vista South, LLC, et al., v. City of Centennial, et al.*, Douglas County District Court, Case No. 2018CV030354

3. Article XIV of the Town of Parker Home Rule Charter and Article 11 of Title 31 of the Colorado Revised Statutes (initiative petitions)

4. Colo. Rev. Stat. § 32-1-207(3)(b), “45-day Notice” from Parker Automotive Metropolitan District

5. Capital Pledge Agreement between Reata Ridge Metropolitan District Nos. 1 and 2

6. HB 19-1234, concerning allowing delivery of regulated marijuana

**TOWN OF PARKER COUNCIL
MINUTES
OCTOBER 7, 2019**

Mayor Mike Waid called the meeting to order at 5:30 P.M. Councilmember Renee Williams was absent.

Town Attorney Jim Maloney announced the topics for discussion in Executive Session were five (5) items. Under C.R.S. § 24-6-402(4)(b) there was one (1) item which was legal advice on specific legal questions concerning the unsolicited proposal from ROADIS; under C.R.S. § 24-6-402(4)(e) there was one (1) item for listing agreement for Town properties between NavPoint Real Estate Group and the Town (My Mainstreet)/Eastmain Property/Schoolhouse Property; under C.R.S. §24-6-402(4)(b) there were three (3) items, the first was to receive legal advice on specific legal questions concerning Article XIV of the Town of Parker Home Rule Charter and Article 11 of Title 31 of the Colorado Revised Statutes (initiative petitions), the second was to receive legal advice on specific legal questions concerning in re National Prescription Opiate Litigation, Case No. 1:17-md-2804, United States District Court for the Northern District of Ohio and the third was to receive legal advice on specific legal questions concerning Pine Drive Property.

EXECUTIVE SESSION

Josh Rivero moved and John Diak seconded to go into Executive Session at 5:38 P.M. to hold a conference with the Town's attorney and legal counsel for the E-470 Public Highway Authority to receive legal advice on specific legal questions, pursuant to C.R.S. 24-4-402(4)(b) and the common interest privilege, 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) 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).

The motion was approved unanimously.

Debbie Lewis moved and John Diak seconded to come out of Executive Session at 6:44 P.M.

The motion was approved unanimously.

Debbie Lewis moved and Josh Rivero seconded to recess the regular meeting at 6:47 P.M.

The motion was approved unanimously.

REGULAR MEETING

Mayor Waid reconvened the meeting at 7:03 P.M.

A Boy Scout led the Pledge of Allegiance.

SPECIAL PRESENTATIONS

There were none.

PARKER CHAMBER OF COMMERCE UPDATES

Omar Castillo gave an update for the Chamber of Commerce.

DOWNTOWN BUSINESS ALLIANCE UPDATES

Shelly Mango gave an update for the Downtown Business Alliance.

PUBLIC COMMENTS

- * Shelly Mango, 8632 E. Thunderbird Road, for downtown vibrancy there should be building in the downtown area.
- * Corey Poindexter stated he was here (did not give address)

The following individuals stated that they were against Resolution No. 19-087

- * Joy Overbeck - 19692 Creekside
- * Aleta Yu - 18140 French Creek Ave.
- * Al Thompson, 11198 Cambridge Ct.
- * Terry Dodd, 11450 Marborough Dr.
- * Michael Roueche, 11425 Regency Ct.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

- A. *APPROVAL OF MINUTES - September 16, 2019*
- B. *ORDINANCE NO. 5.77.1 - First Reading*
A Bill for an Ordinance to Amend Section 10.13.080 of the Parker Municipal Code Concerning the Kiosk Program
Department: Community Development, Bryce Matthews
Second Reading: October 21, 2019
- C. *ORDINANCE NO. 3.01.118 - First Reading*
A Bill for an Ordinance to Amend Chapter 13.02 of of the Parker Municipal Code to add a Definition for "Tourist Home"
Department: Community Development, Bryce Matthews
Second Reading: October 21, 2019
- D. *ORDINANCE NO. 3.01.119 - First Reading*
A Bill for an Ordinance to Amend Section 13.03.030, Entitled Planning Department Adjustments, of the Parker Municipal Code
Department: Community Development, Bryce Matthews
Second Reading: October 21, 2019
- E. *ORDINANCE NO. 3.351 - First Reading*
A Bill for an Ordinance to Add a New Section 13.07.170, Entitled Associations, to the Parker Municipal Code
Department: Community Development, Bryce Matthews
Second Reading: October 21, 2019

- F. *ORDINANCE NO. 1.538 - First Reading*
A Bill for an Ordinance Conveying the Moore Property Water Rights to the Parker Water and Sanitation District by Special Warranty Deed
Department: Parks and Recreation, Dennis Trapp
Second Reading: October 21, 2019
- G. *RESOLUTION NO. 19-085*
A Resolution to Exempt Certain Real Property Commonly Known as the E-470 Maintenance Support Site A From the Definition of Subdivision and Subdivided Land as Contained in the Town of Parker Land Development Ordinance
Department: Community Development, Carolyn Parkinson
- H. *RESOLUTION NO. 19-087*
A Resolution to Establish an Initiative or Referendum Petition Protest Procedure
Department: Town Attorney, Kristin Schledorn

Cheryl Poage moved and Jeff Toborg seconded to remove Consent Agenda Item 7H.

The motion was approved unanimously.

Joshua Rivero moved and Debbie Lewis seconded to approve Consent Agenda Items 7A through 7G.

The motion was approved unanimously.

Item 7H

Kristin Schledorn explained the resolution and the process and how the State Statute and the Town Charter conflict.

Joshua Rivero moved to approve Resolution No. 19-087.

Debbie Lewis seconded the motion.

The motion passed 3 to 2. (Poage and Toborg voted no.)

PUBLIC HEARINGS

A. E-470 Right-of-Way Northeast - Annexation and Zoning

Applicant: Town of Parker
Location: The subject property is part of the E-470 Right-of-Way (ROW) and is generally located north of Cottonwood Drive adjacent to the east and west borders of E-470 in unincorporated Douglas County
Department: Community Development Department, Carolyn Parkinson
TRAKiT No.: ANX19-008 and Z19-015
Second Reading: October 7, 2019

8:00 P.M.

The Town, acting on behalf of the E-470 Public Highway Authority (the "Authority"), proposes an annexation of the E-470 ROW. The purpose of this action is to ensure that the entirety of E-470 within the Town's Municipal Planning Area is annexed into the Town.

The Town also proposes to zone the property concurrently with the annexation as required by the Land Development Ordinance (LDO). This is the same zoning for the rest of E-470 ROW within the Town Limits.

Public Comment - None

The Public Hearing was closed at 8:05 P.M.

1. RESOLUTION NO. 19-060

A Resolution to Set Forth Town Council's Findings of Fact and Conclusions as to the Eligibility of the E-470 Right-of-Way Northeast Property for Annexation into the Town of Parker

Joshua Rivero moved to approve Resolution No. 19-060.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

2. ORDINANCE NO. 2.273 - Second Reading

A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory Known as the E-470 Right-of-Way Northeast Property in Douglas County

Joshua Rivero moved to approve Ordinance No. 2.273 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

3. ORDINANCE NO. 3.296.1 - Second Reading

A Bill for an Ordinance to Amend Zoning Certain Property Within the Town of Parker, Colorado, Known as the E-470 Right-of-Way Northeast Property to PD-Planned Development District Pursuant to the Parker Land Development Ordinance and Amending the Zoning Ordinance and Map to Conform Therewith

Joshua Rivero moved to approve Ordinance No. 3.296.1 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

4. ANNEXATION AGREEMENT

Joshua Rivero moved to approve the E-470 Right-of-Way Northeast Annexation Agreement, based on staff findings.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

ORDINANCES

A. ORDINANCE NO. 13.109 - Second Reading

A Bill for an Ordinance Amending Chapter 10.11 of the Parker Municipal Code Concerning Special Districts

Department: Town Attorney, Kristin Schledorn

This ordinance amends Chapter 10.07 concerning special districts, to update the annual report requirements and application fees.

This ordinance also adds the term "Bond" or "Bonds" to the definition of "Debt", clarifies the definition for "Public Improvements", requires that the district boundary map be stamped by a registered professional engineer, and updates the application fees from \$7,000 per service plan to \$8,000, and from \$250 per amendment to \$4,000. This increase will capture the actual costs for staff and outside counsel review time.

Public Comment - None

Joshua Rivero moved to approve Ordinance No. 13.109 on second reading.

John Diak seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 5.83 - Second Reading**A Bill for an Ordinance to Add a New Chapter 6.07 to the Parker Municipal Code to Prohibit the Sale of Kratom****Department: Town Attorney, Kristin Schledorn**

This ordinance bans the sale of kratom for human consumption in the Town of Parker.

Dr. Bernadette Albanese, Medical Epidemiologist, with Tri-County Health Department, gave a presentation on kratom. Their stance on kratom use aligns with the U.S. Food and Drug Administration (FDA) and as a precautionary measure, Tri County Health Department strongly recommended that the Town of Parker proactively ban any sale of Kratom in its jurisdiction.

Public Comment - None

John Diak moved to approve Ordinance No. 5.83 on second reading.

Debbie Lewis seconded the motion.

C. ORDINANCE NO. 9.301 - Second Reading (Continued from 9-16-19)**A Bill for an Ordinance Approving the Amended and Restated Intergovernmental Agreement Between Douglas County School District RE-1 and the Town of Parker Regarding Providing Police Officers to Patrol Elementary and Middle Schools and Other Facilities Under the School Marshall Program (SMP)****Department: Police, David King**

The Town entered into an Intergovernmental Agreement (IGA) with the Douglas County School District to make available its police officers to function as School Marshal Officers (SMOs) at district elementary schools, in addition to four (4) charter schools within the District; Challenge to Excellence, Global Village Academy, Parker Performing Arts School and Leman Academy.

The Douglas County Schol District shall pay the Town the not to exceed amount of \$185,276 for the 2019-2020 school year. This amount will support the salary and benefits of one (1) full-time School Marshal officer and a maximum of 1,023.5 hours of coverage by additional officers during the 2019-2010 school year..

Public Comment - None

Cheryl Poage moved to approve Ordinance No. 9.301 on second reading.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 8:27 P.M.

Carol Baumgartner, Town Clerk

Mike Waid, Mayor

**TOWN OF PARKER COUNCIL
MINUTES
OCTOBER 21, 2019**

Mayor Mike Waid called the meeting to order at 5:42 P.M. All Councilmembers were present.

Town Attorney Jim Maloney announced the topics for discussion in Executive Session were four (4) items. Under C.R.S. § 24-6-402(4)(b) there were three items, the first item was to receive legal advice on specific legal questions concerning Vista South, LLC, et al., v. City of Centennial, et al., Douglas County District Court, Case No. 2018CV030354, the second item was to receive legal advice on specific legal questions concerning Emergency Ordinance No. 3.345, Series of 2019, imposing a temporary suspension of 180 days related to the growing, storage, extraction, processing or manufacturing of industrial hemp, and the third item was to receive legal advice on specific legal questions concerning Article XIV of the Town of Parker Home Rule Charter and Article 11 of Title 31 of the Colorado Revised Statutes (initiative petitions); under C.R.S. § 24-6-402(4)(e) there was one item concerning listing agreement for Town properties between NavPoint Real estate Group and the Town (My Mainstreet)/Eastmain Property/Schoolhouse Property/Pine Curve Property.

EXECUTIVE SESSION

Joshua Rivero moved and Renee Williams seconded to go into Executive Session at 5:43 P.M. 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 Joshua Rivero seconded to come out of Executive Session at 6:55 P.M.

The motion was approved unanimously.

Debbie Lewis moved and Joshua Rivero seconded to recess the regular meeting at 6:55 P.M.

The motion was approved unanimously.

REGULAR MEETING

Mayor Waid reconvened the meeting at 7:05 P.M.

Several Boy Scouts led the Pledge of Allegiance.

PUBLIC COMMENTS

- * Terry Dodd, 11450 Marlborough Dr., asked that Consent Agenda Item 4H be taken off the consent agenda.
- * Ray Traffis, 10680 Stonemeadow Dr. (unincorporated Douglas County) spoke on the Newlin Gulch Project and how it will be harmful to the residents during the construction phase.

REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

Councilmembers provided updates to meetings they attended since the last Council meeting.

CONSENT AGENDA

- A. *ORDINANCE NO. 3.01.120 - First Reading*
A Bill for an Ordinance to Amend Title 13 of the Parker Municipal Code Regarding Hemp Operations in Light Industrial Zone Districts
Department: Community Development, Bryce Matthews
Second Reading: November 4, 2019

- B. *ORDINANCE NO. 9.286.1 - First Reading*
A Bill for an Ordinance to Approve the First Amendment to an Intergovernmental Agreement Between the Town of Parker and the Board of County Commissioners of the County of Douglas, State of Colorado, Regarding Cost Sharing for the Dransfeldt Road Extension
Department: Engineering/Public Works, Chris Hudson
Second Reading: November 4, 2019

- C. *ORDINANCE NO. 3.01.121 - First Reading*
A Bill for an Ordinance to Amend Subsections 13.12.030(c), (d) and (e), 13.12.040(b), (c) and (e) of the Parker Municipal Code Concerning Commercial Wireless Communications Facilities
Department: Community Development, Bryce Matthews
Engineering/Public Works, Alex Mestdagh
Second Reading: November 4, 2019

- D. *RESOLUTION NO. 19-088*
A Resolution to Designate the Town of Parker Safety Sensitive Zone Pursuant to Section 7.01.080 of the Parker Municipal Code and to Replace Resolution No. 12-009, Series of 2012, in its Entirety
Department: Engineering/Public Works, Chris Hudson

- E. *RESOLUTION NO. 19-089*
A Resolution to Adopt the Town of Parker Pedestrian Crossing Treatment Guidelines
Department: Engineering/Public Works, Tom Williams
Engineering/Public Works, Dave Aden

- F. *RESOLUTION NO. 19-091*
A Resolution to Approve the Second Amendment to Town Administrator Employment Agreement
Department: Town Council

- G. *RESOLUTION NO. 19-092*
A Resolution to Approve the Thirteenth Amendment to Town Attorney Employment Agreement
Department: Town Council
- H. *RESOLUTION NO. 19-093*
A Resolution of the Town Council of the Town of Parker Supporting Douglas County Ballot Question 1A
Department: Town Attorney, Jim Maloney
- I. *CONTRACTS OVER \$100,000*
1. *Parker Radar Installation Project - Phase 2 (CIP 19-021)*
Amount: \$133,511
Contractor: WL Contractors
Department: Engineering/Public Works, Chris Hudson

John Diak moved and Renee Williams seconded to approve Consent Agenda Items 4A through 4I.

The motion was approved unanimously.

TOWN ADMINISTRATOR

TA Report-Fall 2019

It was noted that the Town Administrator's Report is available online.

PUBLIC HEARINGS

A. COTTONWOOD HIGHLANDS FILING NO. 7 - Sketch and Preliminary Plans (Continued from 9-16-19)

Applicant: Lennar Homes, John Cheney
Location: South of Cottonwood Drive between Chambers Road and Jordan Road
Department: Community Development, Stacey Nerger
TRAKiT No.: SUB18-037 and SUB18-045

7:17 P.M.

This item was continued from September 16, 2019 at which time Town Council requested the applicant revise their parks and open space plan. This allowed time for the applicant to revise their plans in consultation with staff.

Staff recommended approval with conditions (see motion).

Applicant

John Cheney of Lennar Homes presented the changes made and Kent Poncerelli addressed the conditions in the staff report.

Public Comment - None

The Public Hearing was closed at 7:35 P.M.

Joshua Rivero moved to approve the Cottonwood Highlands Filing No. 7 Sketch and Preliminary Plans, 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, layout and the inclusion of amenities to the Preliminary Plan, as determined by Town staff. 2. The applicant shall meet required setbacks, stagger and zoning as stated in the Cottonwood Highlands Planned Development (PD) Guide and the Parker Land Development Ordinance including Residential Buffer standards along collector and arterial roadways. 3. The applicant shall submit a revised Sketch/Preliminary Plan and Preliminary Landscape Plan incorporating the revisions outlined within this Council Action Form, and any other revisions the applicant and Council agree to during the continued hearing, for administrative review and approval by the Planning Director within 90 days of the completion of this hearing. In no event shall the applicant satisfy the conditions of approval referenced herein later than application for first final plat.

Cheryl Poage seconded the motion.

The motion was approved unanimously.

B. CANVAS FILING NO. 1 - Minor Development Plat and Subdivision Agreement

Applicant: Canvas Credit Union
Location: Generally located at the northeast corner of Parker Road and Ponderosa Drive
Department: Community Development, Paul Workman

7:36 P.M.

The proposed development application is a Minor Development Plat to create four (4) lots for future commercial development and two (2) tracts that will be used for drainage. The proposed lots vary in size from .97 acres to 1.35 acres. The two drainage tracts are .29 acres and .61 acres in size. The properties will be served by a private road accessed from Ponderosa Drive. The future Commercial use of the lots that will be created is consistent with the C Commercial zoning.

The applicant has also submitted a Site Plan application to develop proposed Lot 1 at the corner of Parker Road and Ponderosa Drive for a bank with drive-through. The Site Plan application is being reviewed administratively in accordance with the Land Development Ordinance (LDO).

The applicant was present for questions.

Public Comment - None

The Public Hearing was closed at 7:40 P.M.

1. Minor Development Plat

Debbie Lewis moved to approve, based on staff findings, the Canvas Filing No. 1 Minor Development Plat.

Renee Williams seconded the motion.

The motion was approved unanimously.

2. Subdivision Agreement

Debbie Lewis moved to approve, based on staff findings, the Canvas Filing No. 1 Subdivision Improvement Agreement.

Renee Williams seconded the motion.

The motion was approved unanimously.

ORDINANCES**A. MOORE PROPERTY**

Department: Parks & Recreation, Dennis Trapp

In order to include that portion of the Pine Curve property that was originally owned by the Moore family (the “Moore property”) into the Parker Water and Sanitation District (the “District”), the Town needs to convey the underlying ground water to the District by special warranty deed. Additionally, the Town needs to file a petition with the District to include the Moore property into the District and the Town needs to submit the Non-Tributary Ground Water Consent Landownership Statements to the District.

The cost of the inclusion process is \$5,000 an acre (for 3 acres) and the conveyance of the deep ground water under the Moore property to the District. The cost to include is approximately \$15,000, plus administrative costs to process the inclusion. In exchange, the Town will receive six (6) water credits from the District, which are valued at \$30,000 (\$5000/acre) to be retained by the Town for use on other Town property. Water credits can be used to reduce the cost of taps sold by the District.

Public Comment – None**1. ORDINANCE NO. 1.538 - Second Reading**

A Bill for an Ordinance Conveying the Moore Property Water Rights to the Parker Water and Sanitation District by Special Warranty Deed

Department: Parks and Recreation, Dennis Trapp

Joshua Rivero moved to approve Ordinance No. 1.538 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

2. RESOLUTION NO. 19-086

A Resolution to Approve the Filing of a Petition for Inclusion of Land and the Submission of Non-Tributary Ground Water Consent Landownership Statements to the Parker Water and Sanitation District Petition for the Moore Property

Joshua Rivero moved to approve Resolution No. 19-086.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

B. ORDINANCE NO. 5.77.1 - Second Reading

A Bill for an Ordinance to Amend Section 10.13.080 of the Parker Municipal Code Concerning the Kiosk Program

Department: Community Development, Bryce Matthews

The Town has experienced continued residential development that will increase once the Anthology North and Hess Ranch projects enter the construction phase. Community Development staff expects that this will generate increased marketing of new homes including sales signs along Town roads. Staff is concerned that this will increase sign clutter and have impacts upon the Town's desirable visual environment.

Section 10.13.080 of the Parker Municipal Code allows the Town to administer a kiosk program for homebuilders to advertise new residential developments on kiosk signs located in the Town right-of-way (ROW). Current homebuilder advertising has evolved over the years and the Town now has the option for a homebuilder kiosk program to be provided by third party sign providers. The proposed ordinance amendment provides the Town with the ability to designate a third party to provide homebuilder kiosk signs within Town ROW thereby enabling a coordinated approach to sales signs requested by future homebuilders.

Public Comment - None

Joshua Rivero moved to approve Ordinance No. 5.77.1 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

C. ORDINANCE NO. 3.01.118 - Second Reading**A Bill for an Ordinance to Amend Chapter 13.02 of the Parker Municipal Code to add a Definition for "Tourist Home"**

Department: Community Development, Bryce Matthews

Community Development staff recently discussed the issue of short-term home rentals, such as Airbnb, in residential neighborhoods with the Town Council. Short-term rentals (known in the Land Development Ordinance (LDO) as "tourist homes") have not been permitted in residential areas since as early as 1981, when the Town first adopted its zoning ordinance. The term tourist home, however, is not specifically defined in the LDO, so staff recommended adding a definition to make it clear that tourist homes are short-term rentals for less than 30 days. The Council directed staff to review and amend the LDO.

Staff proposes to amend the LDO by adding a definition of tourist home to Chapter 13.02 of the LDO. This will provide clarification that short-term rentals of less than 30 days are defined as tourist homes, which are not permitted in areas zoned for residential use.

Public Comment - None.

Debbie Lewis moved to approve Ordinance No. 3.01.118 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

D. ORDINANCE NO. 3.01.119 - Second Reading**A Bill for an Ordinance to Amend Section 13.03.030, Entitled Planning Department Adjustments, of the Parker Municipal Code**

Department: Community Development, Bryce Matthews

Section 13.03.030 of the Land Development Ordinance (LDO) currently allows for the Planning Division(s) of the Community Development Department to make certain minor adjustments to approved site plans and planned developments on an administrative basis. However, proposed revisions to approved building elevations and materials are not permitted to be reviewed and approved administratively. Instead, they require a full site plan amendment process that is costly and time consuming for applicants many of whom are small businesses. This process is also time consuming for staff and limits our ability to assist applicants in obtaining the timely approval of minor revisions to building architecture.

The proposed LDO amendment would allow staff to process limited changes to building architecture such as color revisions, material changes and the addition of doors or windows on an administrative basis by a simple site plan adjustment. This would support small businesses by saving applicants the time and expense of going through the current process. All applicants would still be required to comply with the requirements of the LDO and related design standards.

It is the goal of this LDO amendment to make it easier for small businesses to invest in improvements and updates to the exterior architecture of their buildings while still ensuring compliance with Town requirements and standards.

Public Comment - None

Renee Williams moved to approve Ordinance No. 3.01.119 on second reading.

Debbie Lewis seconded the motion.

The motion was approved 5-1. (Poage voted no.)

E. ORDINANCE NO. 3.351 - Second Reading

A Bill for an Ordinance to Add a New Section 13.07.170, Entitled Associations, to the Parker Municipal Code

Department: Community Development, Bryce Matthews

Community Development staff recently discussed with Town Council the issue of requiring the formation of a Homeowners Association (HOA) with new residential development and their commercial equivalents. The purpose of the proposed amendment to the Land Development Ordinance (LDO) is to add a new provision, Section 13.07.170 - Associations, to require the formation of a residential homeowners' or commercial property owners' association during the platting process. This change would ensure enforcement of covenants, maintenance and repair of common areas and the provision of services such as trash collection.

Recently, a homebuilder with multiple projects in the Town has chosen not to create an HOA with their new residential development. To address this issue, staff proposes to amend the LDO to require associations for most new developments with the following requirements.

1. Mandatory membership;
2. Maintenance of property and private common improvements;
3. Covenant enforcement;
4. Other association responsibilities (i.e., trash and recycling collection); and
5. Recordation of documents demonstrating the required association has been formed prior to final Town approval.

By requiring associations, the Town will improve the long-term attractiveness, maintenance and overall condition of residential neighborhoods and commercial areas.

Public Comment - None

Debbie Lewis moved to approve Ordinance No. 3.351 on second reading.

Renee Williams seconded the motion.

The motion was approved unanimously.

F. ORDINANCE NO. 3.352

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 Development of Properties that are Not Included in a Zoning District and Declaring the Intention of the Town Council to Consider the Adoption of Appropriate Amendments to the Land Development Ordinance with Respect to Such Properties

Department: Town Attorney, Jim Maloney

The purpose of this emergency ordinance is to temporarily suspend for 180 days the processing and approval of any application or permit related to the development of properties that are not included in a zoning district.

Because of the possibility of significant land use and public welfare impacts associated with the development of property not included within a zoning district, including the potential of applications being made for land uses that are substantially incompatible with surrounding land uses, the Town Council desires to investigate the appropriate land use provisions that provide a manner of addressing properties that are not included in a zoning district and to give time to Town staff to develop and if appropriate, for Town Council to adopt amendments to the Land Development Ordinance to address this situation.

Public Comment - None

Joshua Rivero moved to approve Emergency Ordinance No. 3.352.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at 8:03 P.M.

Carol Baumgartner, Town Clerk

Mike Waid, Mayor



Request for Town Council Action

Date: November 4, 2019

Submitted By: Carolyn Washee-Freeland, Associate Planner
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 3.326.2 - First Reading**
A Bill for an Ordinance to Amend Sections 13.06.020,
13.10.160, 13.10.200 and 13.16.040 of the Parker Municipal
Code Concerning the Town of Parker Development Design
Standards

Department: Community Development, Carolyn
Washee-Freeland

Second Reading: November 18, 2019

EXECUTIVE SUMMARY

The Town's *Commercial, Industrial, & Multi-Family Residential* (CIMF) Development Design Standards were originally adopted by Town Council on November 1, 1999. The current CIMF Development Design Standards only had minor revisions since 1999 and are largely obsolete, prompting the need for a major update. The first phase of this update was the new Design Standards for multi-family residential development adopted by the Town Council in November, 2018.

Community Development staff recently updated the Town Council on the new Development Design Standards for commercial, industrial and mixed-use development at the June 24, 2019 Study Session. Council directed that staff proceed with completion of the new Design Standards as soon as feasible. Proposed Ordinance No. 3.326.2 will replace the Town's current CIMF Development Design Standards with the updated *Development Design Standards* that will combine the previously approved Multi-Family Residential Design Standards with the new Commercial, Industrial and Mixed-Use Design Standards that have been recently completed.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

During the past few years, the Town Council and staff have grown increasingly concerned about the mixed architectural and urban design quality of new development in Town. In response, Town Council directed Community Development staff to prepare a major update of the 1999 *Commercial, Industrial and Multi-Family Residential (CIMU) Design Standards* that apply to new development.

Staff structured the update to the *CIMU Design Standards* using a phased approach to address the immediate concern with the design quality of multi-family residential development as quickly as possible. Phase One (1) resulted in a major update of the Multi-Family Residential Development Design Standards and the subsequent adoption by Town Council in November, 2018. Phase Two (2) followed and consists of a major update to the Commercial, Industrial and Mixed-Use Development Design Standards. Town Council adoption of the Phase Two (2) Development Design Standards will bring the project to completion.

Throughout the course of the project, Community Development staff has held multiple community engagement events to inform and seek input from residents and stakeholders. Most recently, this includes a public workshop during Planning Commission Study Session on April 25, 2019; public presentation to the Colorado Chapter of the American Institute of Architects (AIA) on May 8, 2019; and the public presentation at the June 24, 2019 Town Council Study Session. Staff has also utilized the Development Design Standards project page on the Town web site to inform and seek input from residents. This multi-faceted approach has contributed to the new and improved Development Design Standards.

Proposed Ordinance No. 3.2.6.2 will amend Sections 13.06.020, 13.10.160, 13.10.200, and 13.16.040 of the Parker Municipal Code to reference the new Development Design Standards and replace the existing *CIMU Design Standards*. The new Development Design Standards will apply to most new development in Town except for detached single-family homes which are governed by existing design standards found in the Land Development Ordinance.

Overview of the New Development Design Standards

The new Development Design Standards features graphics, photos and site layouts that will guide the development community with the design of buildings appropriate for Parker. The new Design Standards incorporate the values of the *Parker 2035 Master Plan* to achieve the Town's goals and objectives for Community Appearance and Design and Housing and Neighborhoods. They also embrace architectural and urban design principles that will enhance the Town's visual environment, suburban character and unique hometown feel. The Development Design Standards feature three (3) chapters:

Chapter 1: Commercial, Industrial, and Mixed-Use Design Standards

Chapter 2: Multiple-Family Design Standards; and

Chapter 3: Design Standards for Publicly-Accessible Space

The Development Design Standards will provide the architectural and urban design framework

for new development in Parker by creating standards for higher quality site layout, building orientation, architectural design and publicly-accessible gathering spaces. They will also serve as a tool for the Town Council, staff, residents, property owners and design professionals to utilize in connection with future development applications.

On October 24, 2019, the Planning Commission recommended Town Council approve the proposed ordinance.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



ENHANCE ECONOMIC
VITALITY



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



FOSTER COMMUNITY
CREATIVITY AND
ENGAGEMENT

ATTACHMENTS

1. Ordinance No. 3.326.2
2. Development Design Standards
3. Planning Commission Staff Report

RECOMMENDED MOTION

I move to approve Ordinance No. 3.326.2 on first reading and to schedule second reading for November 18, 2019, as part of the consent agenda.

ORDINANCE NO. 3.326.2, Series of 2019

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 13.06.020, 13.10.160, 13.10.200 AND 13.16.040 OF THE PARKER MUNICIPAL CODE CONCERNING THE TOWN OF PARKER DEVELOPMENT DESIGN STANDARDS

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Subsection 13.10.020(h) of the Parker Municipal Code is amended to read as follows:

13.06.020 General requirements.

* * *

(h) The Town of Parker ~~Commercial, Industrial & Multiple-family Residential Development~~ Design Standards are hereby incorporated by reference into this Title, as may be amended from time to time. The provisions of these standards shall be used in addition to the criteria outlined in this Chapter. The following items must be addressed on all site plan submittals:

Section 2. Subsections 13.10.160(a) and (m) of the Parker Municipal Code is amended to read as follows:

13.10.160 Residential design minimums.

(a) Intent. The intent of this Section is to require single-family detached units and paired units (as defined in the Town of Parker Development Design Standards ~~for Commercial, Industrial and Multiple-Family Projects~~) that front or are located along the same side of a public street, private internal street, or public or private open space, or greenways be designed to provide a varied street scene, architectural variety, and to eliminate the reuse or repetition of identical or substantially similar building designs in close proximity to each other.

* * *

(m) Residential Design Minimums Handbook.

(3) Building variations requirements:

c. Exterior building elements and palettes: Exterior building elements and palettes include architectural details and materials on a structure that are used to create a distinctive differentiation between structures and shall be used to distinguish the entire structure including the rear. Exterior building elements for buildings that contain paired units include the addition of the following to the building (examples of these elements can be found in the multiple-family design standards contained in the Town of

Parker Development Design Standards ~~for Commercial, Industrial, and Multiple-Family Projects~~):

* * *

Section 3. Subsection 13.10.200(a) of the Parker Municipal Code is amended to read as follows:

13.10.200 Town of Parker ~~Architectural and~~ Development Design Standards ~~for Commercial, Industrial and Multiple-Family Projects~~.

(a) Adoption of Design Standards by reference. The Town of Parker ~~Architectural and Development~~ Design Standards ~~for Commercial, Industrial and Multiple-Family Projects~~, dated October 8, 1999, and last amended on ~~November 19, 2018~~ November 18, 2019 ("Design Standards"), and prepared by the Town, are hereby adopted by reference as if set forth herein. ~~Copies of the~~ The Design Standards are accessible on the Town's website or file with the Planning Department, may be inspected by any person ~~and are available for sale at Parker Town Hall, Planning Department~~, between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted.

* * *

Section 4. Subsections 13.16.040(e) and (f) of the Parker Municipal Code is amended to read as follows:

13.16.040 General requirements.

* * *

(e) The preliminary site plan is in general compliance with the Town of Parker ~~Architectural and Development~~ Design Standards ~~for Commercial, Industrial and Multiple-Family Projects~~.

* * *

(f) The approval of a preliminary site plan is not affected by change of tenancy, ownership, or management of a site, with the exception of the following:

* * *

(2) Amendments to the Town's Storm Drainage and Environmental Criteria Manual, the Town of Parker ~~Architectural and Development~~ Design Standards ~~for Commercial, Industrial and Multiple-Family Projects~~, or any other applicable standard adopted or amended by the Town that results in the preliminary site plan being out of compliance with these standards.

* * *

Section 5. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 6. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 7. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2019.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2019.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



PARKER
COLORADO

Development Design Standards



Acknowledgements

The Town of Parker *Development Design Standards* is a result of a two-year complete rewrite of the Town's 1999 *Commercial, Industrial, and Multi-Family Design Standards* document. The *Development Design Standards* provide detailed standards on urban design and streetscape, and promotes high quality architecture for Parker. Based on commonly accepted principles of urban design, the new design standards reflect the goals of the Town of Parker 2035 *Master Plan*, to preserve and enhance the small-town character of the Parker community. The Town encourages residents, developers, architects, designers, property owners, Town staff, the Planning Commission, and Town Council to use the Development Design Standards for reviewing proposed development projects in the Town.

The Town would like to thank Town Council members, Planning Commission and the many organizations that helped collaborate on the update of the Development Design Standards. The Town also thanks the many citizens and stakeholders who attended the Community Design Workshops and provided valuable input during the planning process.

Parker Town Council

Mike Waid, Mayor
John Diak, Councilmember
Debbie Lewis, Councilmember
Cheryl Poage, Councilmember
Joshua Rivero, Councilmember
Jeff Toborg, Councilmember
Renee Williams, Councilmember

Parker Planning Commission

Gary Poole, Chair
Duane Hopkins, Vice Chair
Eliana Burke, Acting Vice Chair
Richard Foerster, Commissioner
Erik Frandsen, Commissioner
John Howe, Commissioner
Ruth Ann Nelson, Commissioner

Alternate Commissioners

Susan Caudill, Commissioner
Tracie Manske, Commissioner
Kimberly Rodell, Commissioner

Town of Parker Staff

Michelle Kivela, Town Administrator
Jim Cleveland, Acting Deputy Town Administrator
Jim Maloney, Town Attorney
Kristin Schledorn, Deputy Town Attorney
John Fussa, Community Development Director
Jason Rogers, Deputy Community Development Director
Bryce Matthews, Planning Manager
Carolyn Washee-Freeland, Associate Planner

Participating Consultants

Urban Design Associates
Dig Studio
PCS Group

Technical Advisory Committee

Jordan Block, RNL Design
Alan Cunningham, PCS Group
John Gagnon, JG Architects
Kim Nelson, Stanley Consultants
Matt Carlson, Town Staff
Alex Mestdagh, Town Staff
Mary Munekata, Town Staff
Stacey Nerger, Town Staff
Carolyn Parkinson, Town Staff
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Other Technical Advisors

Thomas Kopf, DTJ Design
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Developer Participants

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Walt Koebel, Koebel & Co.
Chad Rodriguez, MSP Companies
Mitch Trevey, Trevey Land & Commercial
Mike Vickers, Compark Cottonwood Village
Kurt Wolter, Trevey Land & Commercial

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Chapter 1: Commercial, Industrial, and Mixed-Use Design Standards

I. Introduction

As Parker continues to grow, the Town has taken a proactive approach engaging citizens and promoting development that is consistent with the shared vision for the Town. Following the explosion of development in Parker in the 1980s and 1990s, the Town developed Commercial, Industrial, and Multifamily Residential Design Standards, which were adopted in 1999. These standards provided important tools beyond what was possible in the Land Development Ordinance (LDO) to evaluate and coordinate development, ensuring it was consistent with the vision for Parker. However, with the changing patterns of development and evolving best practices, Town Council, Planning Commission, and Planning staff agreed that the Standards were no longer current and embarked on the process of updating the standards, resulting in these Development Design Standards.

The Development Design Standards, which will be referred to as the ‘Design Standards’ throughout this document, provides the Community Development Department, Planning Commission, Town Council, the development community, and property owners with an objective basis on which to evaluate new development and redevelopment of multiple-family, commercial, industrial and mixed-use. The Design Standards are based upon commonly accepted principles of urban design and reflect the goals for the Town of Parker as set forth in the *Town of Parker 2035 Master Plan* (as amended), including the development of high standards, prioritizing open space, and enhancing the small town character.

A. Objectives

The intent of the Design Standards is to provide clear and concise direction to developers and property owners in order to promote quality building design and site layout. Objectives for the Design Standards are:

- To serve as a tool to evaluate development submittals for all multiple-family, commercial, industrial, and mixed-use projects.
- Govern the development of new buildings, significant architectural renovation and restoration, change of existing use or adaptive reuse, and landscape improvements; and
- To standardize and create predictability in the Town’s expectations for development of these uses and categories.

Property owners, developers, and architects will use these Design Standards when preparing site plans and architectural plans for development and for improvements to existing development. All Design Standards contained in this document will be reviewed and special care taken to address all situations where the Design Standards are applicable to a specific project.

B. Process

Public participation is an essential component in successful planning, community building and decision-making. The Design Standards were developed through an open public involvement process. The intent of the engagement process was to engage a large number of residents, visitors, developers and property owners and to incorporate their input and responses into the development of the Design Standards. There were three phases of public involvement, each with opportunities for broad-based involvement:

- Phase One, which focused on understanding the desired character for development in the Town;
- Phase Two, which focused on testing ideas for the multiple-family and commercial, industrial, and mixed-use components of the standards;
- Phase Three, which focused on developing the standards.

Residents, visitors, employees, developers, and property owners participated in a series of meetings, open houses, workshops, surveys, and hearings. The outcomes supported the themes in the *Parker 2035 Master Plan*, showing that citizens are sensitive to the potential for a proliferation of disparate or mediocre development and desire high-quality, cohesive development.



Figure 1 - Phase One public meeting on understanding the desired character for development in Parker



Figure 2 - Phase Two stakeholder meeting on testing ideas for the Design Standards



Figure 3 - Phase Two public meeting on testing ideas for the Design Standards



Figure 4 - Phase Two stakeholder modeling workshop on testing ideas for the Design Standards



Figure 5 - Phase Two stakeholder modeling workshop on testing ideas for the Design Standards



Figure 6 - Phase Two public meeting on testing ideas for the Design Standards

II. Relationship of the Design Standards to Policy and Other Regulatory Documents

Hierarchy of Documents that Govern Multiple-family, Commercial, Industrial, and Mixed-use Development

What is the purpose of each type of document?

POLICY Policy sets the direction for land uses, open space, and transportation improvements in the Town.	REGULATIONS Regulations set how much development is permitted and where certain uses can locate.	STANDARDS Standards regulate how development is laid out and what it looks like.
---	---	---

How are Policy, Regulations and Standards organized in Parker?

		DOCUMENTS
POLICY	Town-adopted policy direction related to uses, location, density, and character of future development	- Parker 2035 Master Plan - Mainstreet Master Plan - Parker Road Corridor Plan - Open Space, Trails, & Greenways Master Plan
REGULATIONS	LAND DEVELOPMENT ORDINANCE Base Zoning Regulates: - Uses - Density - Heights - Setbacks PLANNED DEVELOPMENT ZONING (PDs) Regulates: - Uses - Density - Heights - Setbacks <i>And Sometimes:</i> How Development is laid out	- Land Development Ordinance (LDO) - Planned Development Zoning (PD)
STANDARDS	IS THE SITE LOCATED IN THE GREATER DOWNTOWN DISTRICT ZONING? NO USE THE DESIGN STANDARDS How development is laid out What development looks like YES USE THE GREATER DOWNTOWN DISTRICT STANDARDS & GUIDELINES How development is laid out What development looks like Properties in the Greater Downtown District must also comply with the Design Standards, where they do not conflict with one another.	- Design Standards - Greater Downtown District Standards and Guidelines for Development

III. Addressing Conflicts between Regulatory Documents and the Design Standards

The Design Standards: The Design Standards shall apply to all multiple-family, commercial, industrial, and mixed-use developments in the Town, except where a conflict exists as stated below. In that case, only the standard in conflict shall default to the higher hierarchy regulation and the remainder of the standards not in conflict shall apply.

- **Paired Houses included as part of a Multiple-Family Site Plan:** Shall follow the Site Plan and Minor Development Plat process. These developments shall comply with the Paired House building type regulations in the Multiple-Family Design Standards.
- **Paired Houses included as part of a Single-Family Development:** Shall follow the Sketch and Preliminary Plan process. These developments shall comply with §13.10.161 Residential Design Minimums in the LDO.

The Land Development Ordinance (LDO) and/or Planned Development (PD) Guide and Plan: Provides the controlling regulation on permitted uses, density entitlements, heights, setbacks and any other elements included in these documents. In the case that there is a conflict between:

- The Design Standards and the LDO and/or PD Guide and Plan, the LDO and/or PD Guide and Plan shall supersede the Design Standards.
- The Design Standards conflict with a regulation in a PD Guide and Plan, the PD Guide and Plan and/or zoning regulations shall apply.
- If a condition is regulated by a standard in the Design Standards but not regulated in a PD Guide and Plan, the Design Standards shall apply.
- In the case where the Design Standards conflict with a height, setback or other zoning regulation, the zoning regulations shall apply.

The Design Standards and the Greater Downtown District Standards & Guidelines: If there is a conflict, the Greater Downtown District Standards & Guidelines shall apply.

Building Code and Fire, Life, and Safety Regulations: In the case that the Design Standards conflict with the Building Code or a Fire, Life, and Safety regulation, the Building Code or Fire, Life, and Safety regulations shall apply.

IV. How to Use the Design Standards

Roadmap to Understanding the Design Standards

The Design Standards have two levels of reference: Standards and Guidelines. The following language is used consistently throughout to communicate requirements (Standards) versus recommendations (Guidelines).

Meeting the Intent of a Standard

	STANDARDS	GUIDELINES
IMPLICATION	Regulatory	Recommended
	Development is required to comply with Standards.	Development is encouraged to follow Guidelines.
LANGUAGE	“Development shall...” “Development must...”	“Development should...”

WHAT DO THE STANDARDS & GUIDELINES REGULATE?

- How elements required by the LDO or PD must be laid out on the site
- How buildings are designed and what they look like
- How to accomplish LDO requirements related to design
- What palettes should be applied to buildings and landscape

- **Intent:** states the objective for each Standard. Applicants are expected to meet the intent of each Standard through a combination of complying with Standards and using Guidelines to accomplish the stated objectives.
- **Standards:** are clear and objective requirements. Development must meet all criteria listed under Standards.
- **Guidelines:** provide additional direction and application. Development is expected to address the Guidelines to meet the intent of each Standard.
 - It is the responsibility of the applicant to justify any deviation from these Design Standards and Guidelines and to exhibit why the specific Standard or Guideline would not result in a better/higher quality development.
 - In certain cases, the Planning Director may make a determination that a given solution sufficiently meets the intent of a Standard, even if all of the objective requirements of the Standards are not met.

V. Definitions

Accessory (Building): Means a minor building that is located on the same lot as a principal building and that is used incidentally to a principal building or that houses an accessory use.

Amenity Building: A public or semi-public building built and maintained for public or membership use.

Articulate (or Articulation): Articulation refers to the way surfaces of a building come together to form its shape and volume. Building articulation can be exhibited through differentiating surfaces with a change in material, color, texture, or pattern, corner enhancements, and a separation of adjacent planes. (Source: *Architecture: Form, Space, & Order*, by Francis D.K.Ching)

Attached House: A building where units are not stacked vertically but share walls with adjacent units.

Awning: A protected covering over a window, door, or opening.

Balcony: An unenclosed space that protrudes from the face of a building.

Bay: The spaces on a building's facade between vertical structural elements (walls, pilasters, columns, etc.); bays organize window, door, and building element placement.



Figure 7 - Illustration of definition of Bay

Bay Width: The percentage or length (feet) of a building's facade that is vertically articulated as a structural bay.

Bay Window: A window that protrudes from the face of a building.

Bay of Parking: A double-loaded row of parking, with a drive aisle in the center and head-in parking on either side; may be perpendicular or angled.



Figure 8 - Illustration of definition of Bay of Parking

Block (Development Block): The area defined by streets (public or internal) or open spaces (public or internal) intended for the development of parks or buildings. Development block is a term used in urban design and form-based coding that applies to the organization of legally dedicated lots surrounded by thoroughfares that have been subdivided by Plat.

Block Area: The Block Depth multiplied by the Block Length.

Block Depth: The short dimension of a block, measured from easement or right-of-way line to easement or right-of-way line, at the shortest point.

Block Length: The long dimension of a block, measured from easement or right-of-way line to easement or right-of-way line, at the longest point.

Block Type: Classification of blocks based on the use, building type, organization, location, and access.

Block Type (Attached/Single-Aspect): A block sized to accommodate buildings that are one-unit deep, with frontage around the block perimeter, parking in the center, and open spaces.

Block Type (Composite): A block that has different building types located on it which require different half-block depths.

Block Type (Double-Aspect/Corridor): A block sized to accommodate buildings that are two units deep, with frontage around the block perimeter, parking in the center, and open spaces.

Building Design Variation: A building design that is distinctly different from others, as a result of the massing and form, composition of openings, building elements, and palette of materials and colors.

Building Element: A component of a building that gets added or subtracted from the main mass of the building, such as a porch, wing, balcony, or awning.

Building Facade (Facade): An elevation of a building.

Building Front: The side of the building facing the most prominent public roadway or internal street or open space; the facade on which the primary building entrance is located.

Building Orientation: The relationship of a building's location to the edge of the block.

Building Rear: The façade of a building that is not a building front or building side; does not contain public or customer entrances; has loading, trash, or service functions; and is not visible from a public roadway or internal street.

Building Side: The façade of a building that is distinguished as a secondary façade, for example, a left and/or right side of the building that is not the primary façade.

Building Type: Classification of a building based on form and interior circulation layout.

Commercial: Any activity conducted with the intent of realizing a profit from the sale of goods or services to a consumer. (Source: *A Planners Dictionary*, American Planning Association, 2004)

Complete Streets: Streets designed to enable safe access for all users, including pedestrians, cyclists, motorists, and transit riders.

Composition (Facade Composition): The arrangement of doors, windows, and building elements on a building.

Cornice: A protrusion from the top of a ceiling or pediment, or at the bottom of a roof.

Corridor Building: A building defined by a central entry and circulation system, with a central corridor accessing units on either side.

Dormer: A window that projects vertically from a sloping roof.

Eave: The part of a roof that meets or overhangs the walls of a building.

Eave Line: The shape of eaves across a building.

Entry: A door allowing access to the primary circulation of a building.

Fenestration: The arrangement of windows and doors on the elevations of a building.

Flat Roof: A roof without a visible pitch, including mono-pitch or parapet roofs.

Frontage (Street, Public Roadway): Means the linear frontage of a lot or parcel abutting a private or public roadway, or open space that provides principal access to or visibility of the premises.

Gable: The part of a wall that encloses the end of a pitched roof.

Glazing: Means glass windows, doors, and walls.

Ground Floor: The first floor that sits above the average grade of a site.

Ground Floor Transparency: Percentage of a building's ground floor facade that must be glazed.

High Quality Architecture: High quality architecture in Parker emphasizes the use of quality building materials in the design of authentic and diverse architecture that promotes and enhances the Town's character. Architectural design will consider the articulation of all four elevations of a building per these design standards; and exhibit required vertical and horizontal form and mass breakdown. Building elements will display depth and texture and human-scaled design appropriate for Parker.

High Quality Building Materials: High quality building materials shall consist of durable materials in the detailing of a building that will stand the test of time. Accent materials will achieve architectural interest, balance and variation in the building design.

Industrial Building (Multi-Tenant): A building structure designed for the industrial activities of multiple tenants under one structure. Tenant space may include individual storefronts with a shared tenant wall space. (Source: *A Planners Dictionary*, American Planning Association, 2004)

Industrial Building (Single-Tenant): A building designed for industrial related uses with special site design features of circulation, parking, utility needs, aesthetics and compatibility. (Source: *A Planners Dictionary*, American Planning Association, 2004)

Industrial Development: A large tract of land that has been planned, developed, and operates as an integrated facility for a single or a number of individual industrial uses, with special attention to circulation, parking, utility needs, aesthetics, and compatibility. (Source: *A Planners Dictionary*, American Planning Association, 2004)

Internal Street (Private Street): Means a private or internal street that is not owned or operated by the Town; is a private street created within a commercial, industrial, mixed-use, and/or multi-family site which defines blocks and provides access for all modes.

Liner Building: A narrow building, one unit deep, that is attached to a garage or non-residential use.

Massing: The overall shape and size of a building.

Masonry Base: A masonry architectural feature that projects from the plane of the primary mass of the building at the ground level to deflect water away from the foundation; may be articulated as a few feet at the base of a building or as the entire ground floor.



Figure 9 - Illustration of definition of Masonry Base

Mixed-Use Development: Means a type of land development which blends more than one (1) land use (i.e., residential, commercial, cultural, institutional, or entertainment uses), where those functions are physically and functionally integrated horizontally on a property, or vertically within a building.

Mullion: A vertical or horizontal bar between the panes of glass in a window.

Multiple-Family Buildings/ Housing: A building where multiple separate housing units are located within the same building.

Muntin: A small bar or rigid support between adjacent panes of glass.

Neighborhood: An area of a community with a mix of housing units, a network of interconnecting tree-lined streets and sidewalks that provide a short walk to schools, parks, and a neighborhood center. The area of a community has characteristics that distinguish it from other community areas that may include schools or boundaries defined by physical barriers such as major highways or natural features. (Source: *A Planners Dictionary*, American Planning Association, 2004)

Open Space: Means public or private land and aquatic areas without visible evidence of residential, commercial or industrial development that are regulated or managed to protect the natural environment and significant cultural, historical, geological and ecological resources. These areas, generally left in a natural state, provide passive recreation and agricultural opportunities, shape the patterns of urban development, provide environmental protection and educational, scientific or aesthetic benefits and may include trail corridors, greenways or undeveloped parks.

Green Space: A green space within a development that is intended for shared use by the residents or users of the development.

Paired Units (Duplex): Two units that share a wall and have separate entries; often designed to look like a single house.

Parking Lot Drive: The drive aisle within a parking lot.

Pattern: Design solution using reusable forms repeatedly in a larger building mass.

Pedestrian Scale: The relationship of a built environment to human proportions and comfort.

Planting Strip: A planting zone bounded by the sidewalk, curb, intersections, and pedestrian crossings.

Podium Parking: Concrete parking footprint that is the same or larger than the footprint of the building. Podium parking may be entirely below ground, or it may be the first level.

Porch: A covered platform at the entrance.

Porte Cochere: A covered pick-up and drop-off portal accessible to vehicles.

Private Realm: The areas of a multiple-family development that are intended only for the use of the residents of a given block or building.

Proportion: The ratio of the horizontal and vertical dimensions of a given shape or element.

Public Realm: All areas open or accessible to the public, including the space in front of and between buildings; may be privately owned.

Public Right-of-Way (Public Roadway, Public Street, Right-of-Way): Means any public street, easement, sidewalk, landscaped area, park, square, plaza, or any other public property owned or controlled by the Town and/or dedicated for public use to the Town (Source: *Town of Parker Roadway Design and Construction Criteria Manual*).

Residential: Activities within land areas used predominantly for housing. (Source: *A Planners Dictionary*, American Planning Association, 2004)

Retail: The selling of goods, services, wares, or merchandise directly to the ultimate consumer or persons. (Source: *A Planners Dictionary*, American Planning Association, 2004)

Roof: The part of the building envelope that covers the top of a building.

Roof Form: The shape and proportion of a roof.

Stacked Townhouse: A townhouse on top of a ground floor unit.

Structured Parking Block: A block sized to accommodate development around a structured parking garage, with frontage around the block perimeter, the garage in the center, and open spaces for residents.

Stoop (Porch): A small exterior entrance outside of a door; may be covered but without vertical columns or structural supports for the awning or roof.

String Course: A raised horizontal band or course that often ties together window sills and defines the base, middle, or top of a building.

Structural Bay (See Bay)

Terrace: An open platform that extends from a building.

Texas Wrap Building ("Texas Donut"): A large building, linked by corridors and circulation cores, with units and building form wrapped around an above-grade parking structure.

Transparency: The glazing of a window or door independent of sill, sash, surround, decals, or any other non-transparent feature of the window or door.

Tuck-Under Parking: Parking tucked under the rear of a townhouse or multiple-family building. In tuck-under parking, the structure of the garage does not extend the full footprint of the building.

Vertical Structure Elements: Walls, pilasters, columns and other vertical members that support the structure of a building.

Visual Terminus (Vista Terminus): A framed view ending at an iconic feature or building.

Wing: A section of a building that extends out from the primary mass of the building.

Walk-up Building (Single-Aspect): Multiple-family buildings that are one-unit deep where stair cores serve 2 or 3 units/floor, with a clear front and back (public rooms like the living room face the front and private/service rooms like bedrooms or kitchens face the back).

Walk-up Building (Double-Aspect): Multiple-family buildings where stair cores serve four units/floor, and units face the front and back of the building; a front elevation must be selected.

Wrapped Garages: Wrapped garages consist of a stand-alone garage, with narrow liner buildings attached. The liner/wrapper buildings may be stand-alone, with a gap between the building and garage to allow for natural ventilation of the garage. In some instances, the buildings may be attached or tied back to the garage structure.

VI. Purpose and Intent of the Design Standards

The purpose and intent of the Commercial, Industrial, and Mixed-Use Design Standards is to ensure that future development of non-residential uses in the Town enhances the hometown character of Parker. These Design Standards provide specific requirements related to the urban design of sites, buildings, exterior open spaces, and publicly accessible gathering spaces. Elevating the level of design for commercial, industrial, and mixed-use development in the Town elevates the character and quality of the public realm for all residents and visitors to Parker.

A. Design Standard Objectives

The objectives below will guide commercial, industrial, and mixed-use development in Parker. They serve the purpose of ensuring that non-residential developments enhance the visual character of the Town and create pleasant places that are accessible to all people.

- **Hometown Feel:** Commercial, industrial, and mixed-use developments should create a sense of place contributing to Parker's hometown feel.
- **High Quality:** Development should be composed of high quality site design, architectural design, building materials, color palettes, and landscape design (see figure 10).
- **Context:** Commercial, industrial, and mixed-use development should be designed to enhance and relate to the context of the surrounding natural and built environment.
- **Functionality:** Developments should be designed to be functional, usable, and accessible to patrons and visitors.
- **Human Scale:** Development should be designed at a human scale, creating safe, walkable environments that are visually interesting and make people feel comfortable.
- **Publicly Accessible Spaces:** Commercial, industrial, and mixed-use developments should have accessible and usable outdoor publicly accessible gathering spaces that promote a sense of community and convey an inviting interactive experience (see figure 11).
- **Building Orientation:** Non-residential developments should be organized with buildings oriented towards the streets where possible, parallel on-street parking in high-traffic pedestrian areas, interconnected sidewalks, street trees and other landscaping and amenities. Ensure that non-residential developments are designed for pedestrians and cyclists, not just for vehicles.



Figure 10 - Example of a high-quality designed building with human-scale streetscape



Figure 11 - Example of a mixed-use development

VII. Planning Context for Non-residential Development

The Design Standards integrate the vision of the *Parker 2035 Master Plan* (Master Plan). The Master Plan identifies specific Character Areas that make up the Town and describes the desired character and planning context for Neighborhood Centers, Community Centers, the E-470 Corridor, and the Central Commercial Area. Parker Road is a regionally significant State highway and the Town's primary commercial corridor. Land use in the corridor should advance appropriate commercial development and redevelopment considering the underlying Character Areas within the corridor. Development in these areas should be contemplated in a cohesive and thoughtful way to ensure appropriate future land use compatibility and the viability of each Character Area.

Commercial, industrial, and mixed-use developments must comply with the *Parker 2035 Master Plan*. If conflicts occur, they shall be resolved according the *Relationship of the Design Standards to Policy and Other Regulatory Documents* section of this document.

VIII. Site Design Standards

The site design of commercial, industrial and mixed-use developments requires a process of blending new development into the context of our community. This is an outline of the critical steps to follow when designing a site and applying the corresponding Design Standards and Guidelines. Applicants shall be required to demonstrate compliance with these Design Standards and Guidelines and show that each step has been addressed.

A. Natural Features and Views

The physical characteristics of a site, topography, natural features and viewsheds shall be considered early in the design process. The evaluation of key site characteristics will ensure the least disturbance of the existing site and protect the most valuable natural features including but not limited to vegetation and tree groves, steep slopes/topography, drainage ways and view corridors (*See figure 12*).

Standards:

1. Development sites that include visually significant ridgelines shall limit the extent of building on top of the ridgeline, or rooflines that protrude above the ridgeline to 20 percent of the total length of the ridgeline within the property boundaries of the development site. Visually significant ridgelines are natural topographic ridges that rise at least 50' above the adjacent land over a distance of 150' or more.
2. Development sites adjacent to open space and/or recreational areas shall limit the height of retaining walls to four (4) feet in height from the finished grade.
3. Terraced walls landscaped with live plantings between walls shall be permitted with five (5) foot minimum width spacing between walls and limited to two (2) tiers.

Guidelines:

1. Assess natural features and design open spaces and greenways to take advantage of tree groves, vegetation, riparian areas, views, and other natural elements (*see figure 13*).
2. Orient the fronts of buildings and active spaces towards open space to encourage public interaction whenever possible.
3. Locate publicly accessible open spaces such as plazas, terraces, outdoor seating areas with pathways and pedestrian access around these natural elements (*see figure 14*).
4. Minimize cut-and-fill through the design of site improvements in order to preserve the general character of the existing terrain and to minimize drastic differences between adjacent developed and undeveloped sites.



Figure 12 - Varying topography and natural features in Parker's natural landscape.



Figure 13 –Example of a tree grove in Parker.

B. Pedestrian and Bicycle Connections

In Parker, the transportation environment includes the development of public and private roadways designed to enable safe access for all users including pedestrians, cyclists, motorists and transit users. The design process shall ensure that connectivity will be considered early in site layout to help minimize pedestrian, bicycle, vehicular and bus conflict, thus creating a safe environment for the entire community to access the development site.

Standards:

1. Pedestrian-friendly sidewalks located on any building side with a public entrance shall be a minimum width of ten (10) feet, and shall span the entire length of the building. The ten (10)-foot sidewalk shall transition into a five (5) foot wide sidewalk that connects to the on-site pedestrian circulation system located on the interior and perimeter areas of the development site.
2. All commercial and industrial development public areas shall provide sidewalk and trail connectivity for pedestrians and bicyclists between all public entries to new and existing buildings, outlying parking areas, between buildings, to the public sidewalk system, amenities and to transit facilities.
3. Publicly accessible sidewalks or walkways shall be provided along public and internal streets or drives that are intended for public, customer, or employee access (*see figure 15*).
4. Publicly accessible walkways shall connect from the site to adjacent commercial and residential uses, in a logical manner depending upon site conditions. If adjacent properties are undeveloped, site plans shall indicate areas for future pedestrian connections to adjoining parcels.
5. Bicycle parking shall be thoughtfully located near public entrances of a commercial or industrial building with easy bicycle access from the public road, avoiding conflicts with vehicular and pedestrian movement (*see figure 16*).

C. Building Typologies

Building types suitable for Parker are shown in the matrix in *figure 17*. Buildings that are mobile, relocatable, modular; architectural prototypes or rollout architecture; prefabricated and or pre-engineered metal; partially or completely assembled, and/or constructed in a manufacturing facility, are not permitted for commercial development types.

To avoid discrepancies between commercial, industrial and mixed-use building types and uses, reference the *Relationship of the Design Standards to Policy and Other Regulatory Documents* section in this document for clarification on the use of these building types. The underlying use of building types will be determined through permitted uses (or in some cases use by special review) allowed under the zoning district or Planned Development in which a property is located.



Figure 14 - The Parker community features a number of pedestrian and bike connections throughout Town.

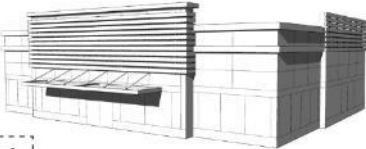
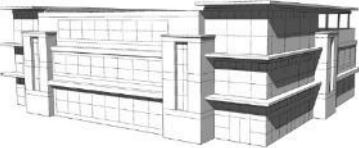
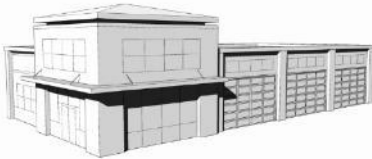


Figure 15 - Publicly accessible sidewalks provide connectivity between the parking lot throughout commercial and industrial developments.



Figure 16 - Bicycle parking located near a public entrance.

Figure 17 - Matrix of Building Types.

Building Typologies		
Commercial Buildings	Commercial Buildings with Auto-Oriented Uses	Industrial Buildings
 1	 5	 9
 2	 6	 10
 3	 7	
Mixed-Use Buildings (Vertical)  4	 8	

Commercial Buildings

- 1 - Single Standalone, Restaurant, Office & Other Commercial Uses
- 2 - Office & Institutional Uses such as: School, Hospital, Rehabilitation Facility
- 3 - In-line Retail

Mixed-Use Buildings

- 4 - Vertical Mixed-Use Multi-Tenant Commercial & Other Commercial Uses such as Multi-Story Hotel, Assisted Living & Nursing Care Facilities

Commercial Buildings with Auto-Oriented Uses

- 5 - Commercial Building with Drive-Through Facility and Other Auto-Dependent Uses
- 6 - Gas Station
- 7 - Carwash
- 8 - Car Repair

Industrial Buildings

- 9 - Single-Tenant Industrial Building
- 10 - Multi-Tenant Industrial Building

D. Building Orientation Requirements of Commercial Buildings

Intent:

Site planning of commercial buildings shall consider specific building orientation requirements, site adjacency, site access and circulation in the overall design and site layout of the project. The intent is to create a cohesive development and site circulation with pedestrian-friendly spaces as defined in these standards. For fenestration requirements for commercial and industrial buildings, see the *Commercial and Mixed-Use Building Composition* section located in VII. *Building Design Standards*.

Standards:

1. Building Fronts

- a. The building front shall be sited to relate to the context of the surrounding environment, considering the patterns of existing roadways, grades, and existing buildings.
- b. A building front shall be oriented towards a public roadway or internal street. (See figure 18).
- c. The primary public entrance of a building shall face the public roadway, with a second public entrance facing a parking lot on the side or rear of the building.
- d. A building with a storefront, office, showroom or other publicly accessible portion of the building shall be located on the site to be highly visible from a public roadway or the public realm.
- e. Building fronts shall be designed to the appropriate design standards as described in Section VII. *Building Design Standards*.



Figure 18 - Example of commercial building front oriented towards a public roadway.

2. Building Sides

- a. A building side that fronts a public roadway must meet the same level or architectural detailing and exterior building material requirements as the front of the building (*see figure 19*).
- b. Building sides that front a public roadway shall have a corner element and/or roof feature.
- c. Where a building side is visible from a public roadway, park, open space, or other active land use, it shall be subject to building orientation requirements for a building front.
- d. The side facades of a building shall be designed to the appropriate design standards as described in Section VII. *Building Design Standards*.



Figure 19 - Example of commercial building side fronting a roadway.

3. Building Rears

- a. The building rear shall not be oriented towards a public roadway.
- b. The facade of building shall be considered a building rear if:
 - i. This portion of the building is not the front or side façade;
 - ii. This portion of the building does not contain a primary or secondary public entrance;
 - iii. This portion of the building has loading or service functions; and
 - iv. This portion of the building is not visible from a public roadway, internal street, open space or other active land use (*see figure 20*).
- c. Building rears that are located in full view of the public realm shall meet the same Standards as a building side as described in VII. *Building Design Standards* section.
- d. The building rear shall not be sited on an internal street unless:
 - i. The front facade is located on a public roadway or internal street.
 - ii. There are other building rears located along the same internal street, for example, the first building in a development built prior to the new development.
- e. The building rear shall not be located on any publicly accessible open space unless site constraints require this orientation.
- f. In the case where the building rear is located on publicly accessible open space due to site constraints, the exposed rear building façade shall be equally designed and

articulated in a similar manner as the front and sides of the building.

- g. Service, loading and trash enclosures shall be located in the rear of the building away from view of the public realm (*see figure 21*).
- h. When the building rear is visible from the public realm and/or adjacent properties, the building rear shall be subject to enhanced screening requirements with either landscaping with an opacity of 80% at one (1) year maturity.

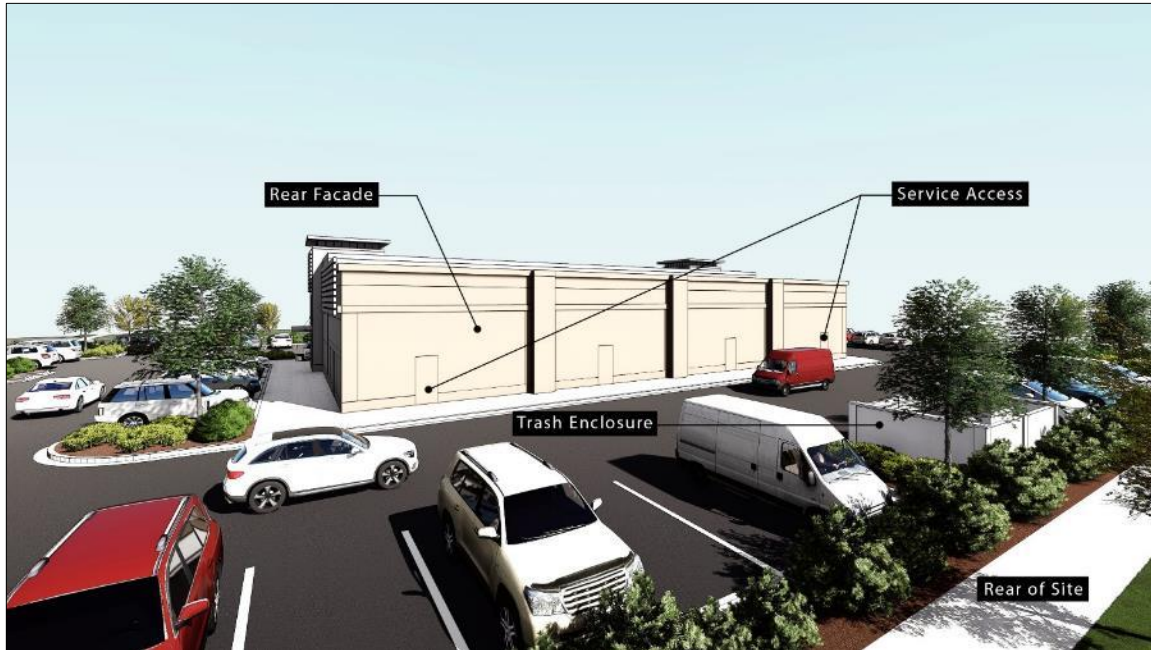


Figure 20 - Example of the rear of a commercial building.

- i. The rear facade of a building shall be designed to the appropriate design standards as described in Section VII. *Building Design Standards*.
- j. In the case where the building rear is located on publicly accessible open space due to site constraints, the exposed rear building façade shall be equally designed and articulated in a similar manner as the front and sides of the building.

4. Corner Treatment

- a. Buildings shall be oriented to front the intersection of a public road with another public road and shall be articulated with transparent openings and an active prominent entry and architectural elements (*see figure 22*).
- b. Parking shall be located on the side and/or rear of the building to the greatest extent possible.
- c. Corner treatments shall include two front primary facades, which are equally designed and articulated as follows:



Figure 21 – Rear of the building showing back-of-house functions (such as service access) located away from public view.

- i. Two (2) front facades facing both of the adjacent public roadways, with one (1) front façade that is designated as the primary customer entrance that is located on the building corner (*see figure 23*).
- ii. All exposed facades shall be equally designed and articulated.
- iii. In the case of a building that is visible to the public realm from all four sides, all sides of the building shall be equally designed and articulated as a building front.
- d. Service areas shall be located away from any building side facing the intersection, and screened from visibility.
- e. Landscaping at corners of the site must comply with the Town's *Roadway Design and Construction Criteria Manual*.



Figure 22 - Building located at an intersection with two primary front facades.



Figure 23 - Example of corner treatment of commercial building.

5. Accessory Buildings

- a. Accessory buildings or structures shall be located in the rear or on the side of a primary building.
- b. Facades of accessory structures that are accessible to patrons or the general public shall be treated as building fronts and composed with openings, entries, building elements and detailing similar to those on the front of the building to which the building is accessory.
- c. Accessory structures shall be designed in a similar style and palette as the primary buildings to which they are accessory.
- d. Accessory buildings shall have the same setback as the primary building or setback a greater distance from the front of the primary building.
- e. Drive-up ATMs shall have architectural fins or overhangs to create shelter for users.

E. Commercial Site Layout Options

The following site layouts show options for how all commercial and mixed-use buildings are to be sited with relationship to the location of the public roadway and parking. They are organized in order of the Town's preferences. In order to choose a layout that is less desirable, the applicant will need to document why the more desirable layouts do not work and show other enhancements that justify the less desirable layout.

Standards:

1. Option No. 1: Building Frontage on a Public Roadway

When a building is fronting a public roadway or internal street and has parking located on the side of the building and in the rear, the primary entrance of a building shall face the public roadway, with the option for a second public entrance facing the parking lot on the side or rear (see figure 24).

2. Option No. 2: Back-to-Back Buildings Siding a Public Roadway

- A building may be oriented so that the building side fronts a public roadway (perpendicular), with an alley or service corridor in between the buildings that meets the requirements for Fire, Life and Safety codes (see figure 25).
- Building sides that face public roadways must meet the same level of architectural detailing and exterior building materials as the front of the building (see figure 26).
- Building sides shall include a corner element or roof feature that is at least 20 feet in length on the side of the building facing the public roadway with a minimum height of 25 feet or increased height for the entire length of the side parallel to the road.
- Sides of buildings facing the alley or service corridor that are screened by the other building may be permitted to follow less stringent building articulation standards.
- Buildings shall be set back on the site to align with other existing surrounding buildings near the site.

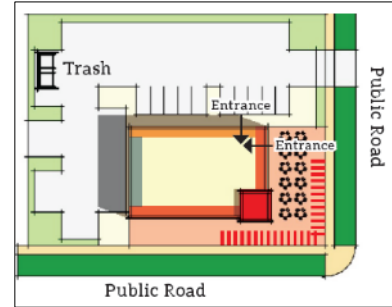


Figure 24 - Option No. 1 Site layout for a building that fronts on a public roadway.

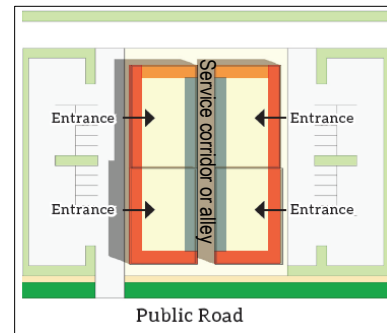


Figure 25 - Option No. 2 Site layout for back-to-back buildings siding a public roadway.

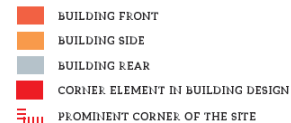


Figure 26 - Option No. 3 Birdseye view of back-to-back buildings siding a public roadway with a service corridor between. Each building is articulated with the same building elements as the building front, with storefront windows, canopies, awnings and a public entrance.

3. Option No. 3: Buildings with Parking Between

- a. Buildings may front the roadway perpendicularly, with one (1) double-loaded bay of parking located between the buildings (see figure 27).
- b. Building sides that face public roads must meet the same level of architectural detailing and exterior building materials as the building front (see figure 28).
- c. Parking lots visible from the public roadway shall be required to have enhanced screening with either landscaping (that meets the Town's Landscape Requirements in the LDO) with an opacity of 80% at one (1) year maturity, a maximum of three (3) feet in height, or screened by a decorative knee wall at a maximum height of four (4) feet.
- d. The buildings shall include a corner element or roof feature that is at least 20 feet in length on the side of the building facing the street with a minimum height of 25 feet or increased height for the entire length of the side parallel to the public roadway or internal street.
- e. Buildings shall be set back on the site to align with other existing surrounding buildings near the site.

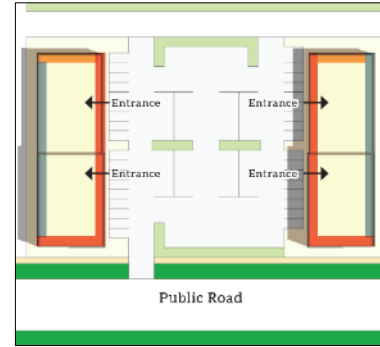


Figure 27 - Option No. 3 site layout for buildings with parking between.

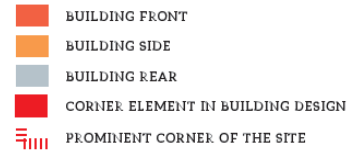


Figure 28 - Option No. 3 Birdseye view of a site with buildings with parking between that meet the Design Standards. Each building is articulated with the same building elements as the building front, with storefront windows, canopies, awnings and a public entrance.

4. Option No. 4: Building with Parking in Front and Rear

- a. The building may front a public roadway with a maximum of one (1) double-loaded bay of parking in the front with the remainder of parking in the rear; and shall follow the Standards that apply to building fronts for transparency, materials, and architectural detailing (*see figure 29*).
- b. Parking lots visible from the public roadway shall be required to have enhanced screening with either landscaping (that meets the Town's landscape requirements in the LDO) with an opacity of 80% at one (1) year maturity, a maximum of three (3) feet in height, or screened by a decorative knee wall at a maximum height of four (4) feet.
- c. The building will be required to have taller massing with a minimum height of 25 feet along the entire façade adjacent to the public roadway with the higher traffic volume. The taller massing must have a depth of at least 20 feet.
- d. Buildings shall be set back on the site to align with other existing surrounding buildings near the site.

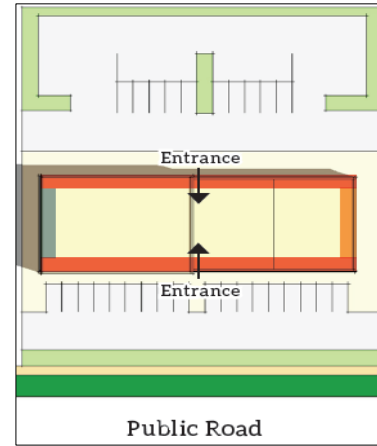


Figure 29 - Option No. 4 Building with parking in front and rear of building.

- BUILDING FRONT
- BUILDING SIDE
- BUILDING REAR
- CORNER ELEMENT IN BUILDING DESIGN
- PROMINENT CORNER OF THE SITE

F. Commercial Buildings with Auto-Oriented Uses

Site design considerations for commercial building types programmed for auto-oriented uses shall meet all standards for commercial buildings described above. Site layout shall further consider the best placement and orientation of ancillary structures and auto-oriented functions on the site.

Intent:

The overall design of the site shall require screening techniques to limit the view of auto-oriented functions such as drive-through lanes, speaker boxes and garage bay doors from surrounding streets, the public realm and adjacent properties.

Standards:

1. Commercial Building with a Drive-Through Facility

- a. The placement of drive-through lanes and canopies, food-pick up windows, speaker box locations and other ancillary back-of-house functions along public roadways shall be located away from view of the public realm.
- b. Speaker boxes and drive-through windows shall be located on building facades that do not face public roadways or residential land uses (*see figure 30*).
- c. Where drive-through windows and facilities cannot be designed to avoid adjacency to public roadways, they shall be covered with a canopy that is integrated into the design of the building and screened with landscaping with an opacity of 80% at one (1) year maturity, a maximum of three (3) feet in height, or screened by a decorative solid wall with a maximum of four (4) feet in height.

- d. Drive-through lanes shall not be sited to restrict pedestrian access between the sidewalk and the building.
- e. Drive-through lanes shall be located so that vehicle queuing does not stack onto a public roadway or drive aisle.
- f. Drive-through lanes shall not be designed to exit vehicles directly onto a public roadway.
- g. Pedestrian walkways that cross through drive-through lanes must consist of a raised or textured crosswalk for enhanced pedestrian safety.

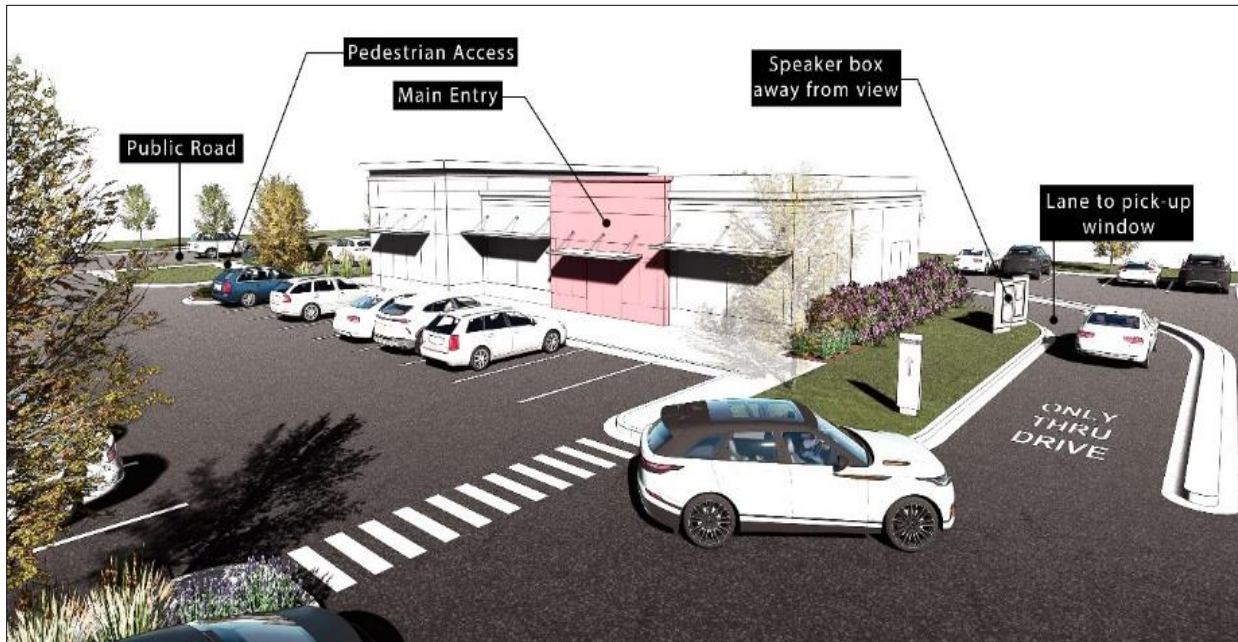


Figure 30 - Example of a commercial building with a drive-through on the site.

2. Gas Station

Intent:

Gas stations shall be designed to reinforce street edges and contribute to high quality streetscapes through a combination of site planning, well-thought out building and canopy locations, and high quality architectural design.

Standards:

- a. Locate primary buildings at or near the street line of a public roadway.
 - i. *Midblock Sites:*
 - 1) The front of a principal building shall be located at the street line of a public roadway, with the long façade (building front) along the street frontage; or
 - 2) The front of the principal building shall be located along the side lot line, with the building side fronting a public roadway along the street frontage.
 - 3) The side facing a public roadway or internal street shall contain a glazed entrance to reinforce the street edge; and high quality architectural design (*see figure 31*).



Figure 31 - Example of a gas station located mid-block.

- ii. *Corner Sites:*
 - 1) Corner treatments, as listed in *E. Building Orientation Requirements of Commercial Buildings, 4. Corner Treatment, a – d*, shall apply requiring the building to have two primary facades with one side designated as the main entrance (see figure 32).
- b. Street-facing facades shall be glazed with a transparency of a minimum of 40% fenestration to reinforce the street edge; and high-quality architectural design.
- c. Auto-oriented functions shall be located away from public roadways or residential land uses to minimize views of service/loading areas, on-site storage and parking.
- d. Canopy and gas pump locations shall be located on the site as follows:
 - i. The shorter side of a gas station canopy shall be oriented facing a public roadway.
 - ii. The longer side of the gas station canopy shall not be permitted to face a public roadway.
 - iii. Gas pumps shall be located behind or to the side of the retail building or kiosk.
 - iv. Canopies shall not be located at the corner of two public roadways or an intersection.
 - v. Canopies shall not be located adjacent to residential land uses.
- e. Parking shall be located in the rear or side of the building and a maximum of one bay of parking shall be located between the primary building entrance (building front) and the gas canopy/gas pump area.
- f. The overall site will be designed to achieve superior landscaping that contributes to high quality streetscapes and mitigates the negative impacts of vehicular functions of the site.

Guideline:

- a. The Town recommends longer sized canopies (larger than 100 feet in length) be broken down into two or more smaller sized canopies (no larger than 100 feet in length) with four (4) gas pumps per canopy.



Figure 32 - Example of gas station located at a corner with canopies that meet the Standards. Corner treatments shall apply requiring the building to have two primary facades with one side designated as the main entrance.

3. Carwash and Car Repair

- a. The retail portion of the building with the primary entrance shall be located facing the public roadway (see figure 33).
- b. Garage door bays and car wash tunnel openings shall not face or be visible from a public roadway, internal street, open space (internal or public) or adjacent residential land uses (see figure 34).
- c. In the event that the Standard 3. *Carwash and Car Repair*, b. cannot be achieved due to demonstrated site constraints, garage door bays and car wash tunnel openings shall be significantly screened and located to minimize views from public roadways, open space, and/or residential land uses to the greatest extent possible.
- d. All equipment associated with a car repair and/or a car wash with a car wash tunnel shall be contained within the building and must be screened from a public roadway and adjacent properties through building design or screening walls (see figure 35).
- e. All ancillary structures and vacuum stations shall be designed with similar material, color, and detailing as the main structure.
- f. Vacuum stations and finishing areas shall be located away from open space and residential land uses and shall be screened from view from a public roadway using enhanced landscaping with an 80% opacity and/or a screening wall.
- g. Where a building has three (3) or more sides that face multiple public roadways, garage doors may be permitted and shall be oriented in such a way as to mitigate their visibility from adjoining streetscapes and adjacent site areas; these areas may include an internal street or a public roadway. The building shall be equally articulated on all four sides and the garage door bays shall be screened from view from a public roadway using enhanced landscaping with an 80% opacity and/or a screening wall.

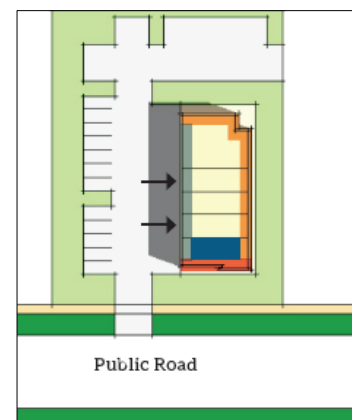


Figure 33 - Example of car repair shop with garage bays located away from view from the public roadway.

- BUILDING FRONT
- BUILDING SIDE
- BUILDING REAR
- RETAIL OR OFFICE AREA



Figure 34 - Example of a car repair building with garage bays in the rear.



Figure 35 - Example of a carwash building orientation that meets the Design Standards.

G. Vertical Mixed-Use Building

Commercial mixed-use buildings are designed to accommodate a combination of uses contained within a single structure. Retail storefronts and other commercial uses such as office space are typically located on the ground-floor of a commercial vertical mixed-use building, with residential units located on upper floors. The Design Standards in this section address the siting of mixed use buildings referenced below as vertical and horizontal mixed-use building types.

Standards:

1. Vertical Mixed-Use Building (Single Building with Multiple Tenants)
 - a. Vertical mixed-use buildings and hotel buildings shall be subject to the same building orientation standards as commercial buildings (see section E. *Building Orientation Requirements of Commercial Buildings*).
 - b. Retail uses with storefronts and/or a main entrance shall be oriented towards the street at the ground-floor level (see figures 36 and 37).
 - c. Upper floors shall be accessed through a street-level lobby inside the building that is oriented towards a public roadway (see figure 38).
 - d. Back-of-house functions of mixed-use buildings shall be located in the rear of the building and be well-screened from public view.



Figure 36 - Vertical mixed-use building in Castle Rock.



Figure 37 - Vertical mixed-use building located at a corner in Downtown Parker, with a restaurant on the ground level.



Figure 38 - Example of vertical mixed-use building located at a corner with storefronts on ground level, and residential units on upper floors.

H. Horizontal Mixed Use (Multiple Buildings on a Parcel)

Intent:

Horizontal mixed-use development integrates a mixture of commercial, retail, and in some cases residential land uses all located adjacent to each other on the same parcel. A cohesive horizontal mixed-use development will better integrate the right mix of land uses to create a sense of place for safe pedestrian movement, versus just a series of inline retail pads. Site planning for horizontal mixed uses considers the relationship between each land use, the connections between the buildings, patio/outdoor seating areas, open space, access and circulation, parking areas, and buffering where appropriate.

Standards:

1. All buildings and the primary public entrances shall be located on facades facing a public roadway or an internal street (*see figure 39*).
2. Main entries to the site shall be treated as prominent gateways, framed with buildings and enhanced with landscaping.
3. Publicly-accessible spaces (such as plazas) shall be designed with enhanced landscaping and streetscapes to encourage public interaction and spaces for outdoor seating areas (*see figure 40*).
4. Parking shall be located at the rear or side of the building, and will be screened from public view with landscaping or a decorative screening wall with a minimum of three (3) feet in height.
5. A big box building serving as an anchor to the site shall be oriented to front or side a public roadway. One double-loaded bay of parking located in front of the big box building will be permitted.
6. Buildings on the site shall have similar setbacks and building heights, and relate to each other through a cohesive architectural theme with a design that is compatible with adjacent land uses (*see figure 41*).
7. The development shall have safe pedestrian sidewalks that connect to building entrances, to parking lot areas and to an existing sidewalk or trail system (*see figure 42*).



Figure 42 - Mixed-use site with sidewalk that connects to an existing sidewalk.



Figure 39 - In-line retail buildings at the Promenade, Castle Rock facing an internal street.



Figure 40 - Publicly-accessible space with enhanced landscaping and outdoor seating.



Figure 41 - Mixed-use site along an internal street.

- BUILDING FRONT
- BUILDING SIDE
- BUILDING REAR
- PUBLICLY ACCESSIBLE SPACE





SITE DESIGN

1. Buildings fronting streets and parks
2. Sidewalks/pedestrian-oriented design
3. Internal streets with sidewalks
4. Outdoor dining space
5. Locate service canopy behind the major building and orient to the side (not facing the primary street frontage)
6. High-quality landscape design between pedestrian pathways and parking lots
7. High-quality landscape design within setback space to buffer from adjacent uses (drainage pond screened by landscaping)
8. Carwash uses are located away from the primary street frontage





SITE DESIGN

1. Buildings fronting streets
2. Sidewalks/pedestrian-oriented design
3. Internal Complete Streets with on-street parking and sidewalks
4. Street trees along internal complete street
5. Outdoor dining area
6. Parking lot located in the Rear of buildings
7. High-quality landscape buffer between sidewalks and parking lots
8. High-quality landscape within setback zone to buffer drainage pond
9. Street furniture to enhance shopping experience
10. Pedestrian scale building elements
11. Storefronts have architectural elements such as awnings, higher transparency in fenestration at the ground-floor level

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I. Building Orientation Requirements for Industrial Buildings

Industrial building types have unique physical features that differ from commercial building typologies. These features include multiple loading docks, truck courts, high ceiling heights in the interior space, showroom, office, and warehouse spaces. Industrial buildings can be designed with a combination of components such as a warehouse with office space and/or with a showroom or designed as a single or multi-tenant building. The Design Standards in this section apply to the site design of industrial developments by building type.

Intent:

Single-tenant industrial buildings with an office, warehouse, and showroom components will be designed to create a visually pleasing public frontage, safe site circulation patterns, well-defined access points and pedestrian walkability.

Standards:

1. Single-Tenant Building

- a. The building front shall be oriented to a public roadway.
- b. The office, showroom or other publicly accessible portions of the building shall be located or oriented in the building so as to be highly visible from a public roadway or the public realm (*see figure 43*).
- c. A building located on a corner site shall be oriented to address both street frontages, and shall have enhanced landscaping and architectural design features such as street-facing windows and doors.
- d. Buildings shall be oriented so that service functions are hidden from public view and are well-screened by landscaping or a screening wall.
- e. Warehouses shall be located to the side or rear of the building to minimize the visual impacts of warehousing/distribution activities, vehicle maneuvering areas and back-of-house functions from the pedestrian and visitor experience (*see figure 44*).
- f. Overhead door bays for any back-of-house operations (such as loading large merchandise for display inside of the building) shall be located in the rear or side of the building away from public view and well-screened.
- g. In the event this cannot be achieved, service or garage bays shall be located on the site away from public roadways, open space, and/or residential land uses to minimize visibility. Screening walls shall be required.



Figure 43 - Single-tenant industrial building with offices fronting a public roadway.



Figure 44 - Multi-tenant industrial building with the warehouse portion located in rear of the building.

2. Multi-Tenant and Flex Office Building

- a. The building front shall create an activated street presence and front a public roadway.
- b. The office, showroom or other publicly accessible portions of the building shall be located or oriented in the building so as to be highly visible from a public roadway or the public realm (*see figure 45*).
- c. Overhead door bays shall be located in the rear or side of the building away from view of the public realm and well-screened. An industrial building located on a corner site shall be oriented to address both street frontages, and shall have enhanced landscaping and other

design features to enhance the corners of the building. Locate the warehouse portion of the building to the rear of the building to minimize the visual impacts of warehousing/distribution activities, vehicle maneuvering areas, and back-of-house functions on the pedestrian and visitor experience (see figure 46).



Figure 45 - Example of single-tenant light industrial building with warehouse and loading docks located on the rear of the building with proper screening from the public realm.

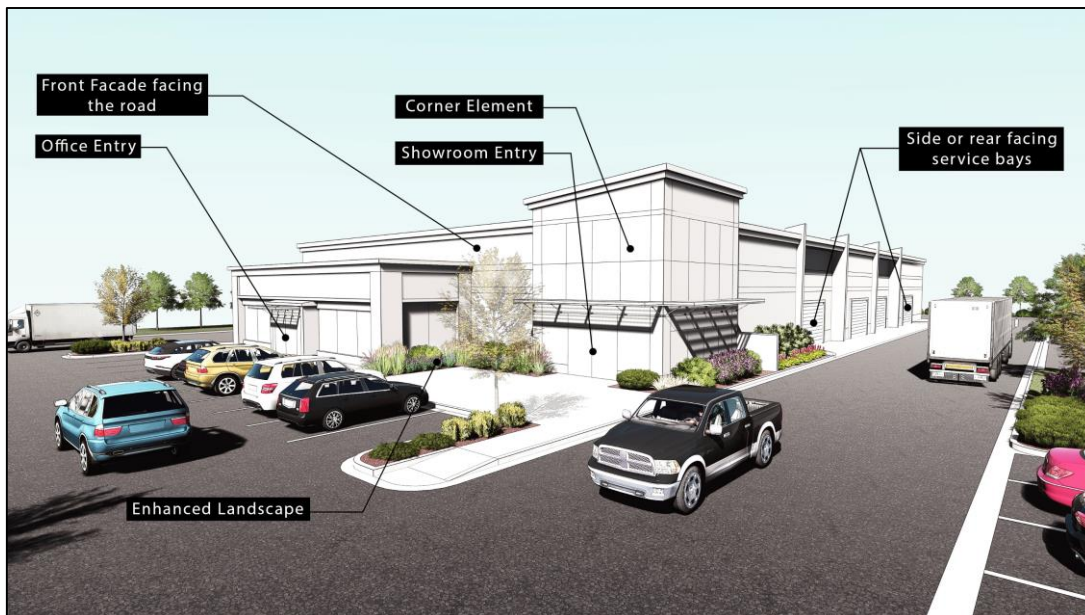


Figure 46 - Example of multi-tenant/flex building with parking in front, and warehouse/loading docks located in rear of the building.

J. Industrial Site Layout Options for Industrial Buildings

The following site layouts show options for how industrial buildings are to be sited with relationship to the location of the public roadway and parking. They are organized in order of the Town's preferences. There are two preferred site layouts and one permitted site layout. In order to choose the permitted layout, the applicant will need to document why the more desirable layouts do not work.

1. Option No. 1 (Preferred)

This alternative shall apply to industrial buildings (with and/or without) a showroom or office component:

- If the building has a showroom or office, the showroom or office shall be located at the front of the building facing the public roadway.
- A maximum of one (1) double-loaded bay of parking for visitors and employees shall be permitted in front of the building, between the building and the public roadway (*see figure 47*).
- The remainder of the parking shall be located on the side or rear of the building away from open space, parks, or view of the public realm.
- All service and loading functions shall be located in the side or rear of the building and screened from the view of the public realm.
- Loading areas for corner lots shall be located in the rear yard only.

2. Option 2 (Preferred)

- The building shall be set back to create a courtyard or publicly accessible space in front of the building (*see figure 48*).
- Showroom or office shall be located at the front of the building, facing the public roadway.
- All service and loading functions shall be located in the side or rear of the building and screened from view of the public realm.
- Loading areas for corner lots shall be located in the rear yard only.

3. Option 3 (Permitted)

- Building sides may face the public roadway with a shared service court between (*see figure 49*).
- Parking shall be located on the side or rear of the building, away from a public roadway, open space, parks, or view of the public realm.
- The service court along the public roadway shall be screened through the use of an architectural wall or landscaping.
- Loading areas for corner lots shall be located in the rear yard only.

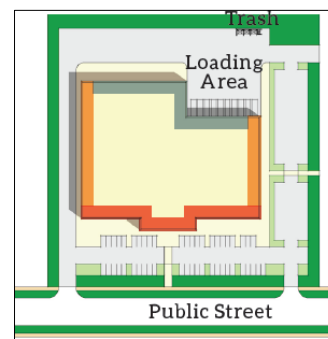


Figure 47 - Option No. 1: Preferred Site Layout (building front is facing public roadway).

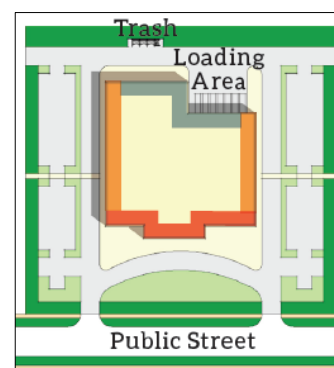


Figure 48 - Option No. 2: Preferred Site Layout (building front is facing a public roadway, with a court or publicly-accessible space in front).

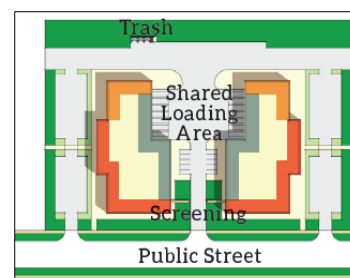


Figure 49 - Option No. 3: Permitted Site Layout (building side is facing the public roadway, with shared service court).



K. Transitions Between Land Uses

Intent:

Future commercial, industrial, and mixed-use developments shall give careful consideration to the design and transition between existing and new developments, possible conflicts between scale and use, and create a human-scale environment that facilitates a continuous urban and suburban fabric.

Standards:

1. New commercial and industrial buildings, with a building height of less than 35 feet, that are located adjacent to existing residential development, mixed-use with residential development, or residentially zoned property must have a setback from the shared property line of at least:
 - a. 25 feet with landscaping that includes one (1) tree and five (5) shrubs per every 1,000 square feet of landscape area. This setback distance may be reduced when the uses are designed and integrated as a part of a mixed-use center within the Greater Downtown District or with enhanced landscaping as outlined below (*see figure 50*).
 - i. Setback may be reduced to 20-feet with the inclusion of a minimum two foot (2') tall berm and two (2) trees and five (5) shrubs per every 1,000 square feet of landscape area.
 - ii. Setback may be reduced to 15-feet with the inclusion of a minimum six feet (6') tall solid wall and two (2) trees and five (5) shrubs per every 1,000 square feet of landscape area.

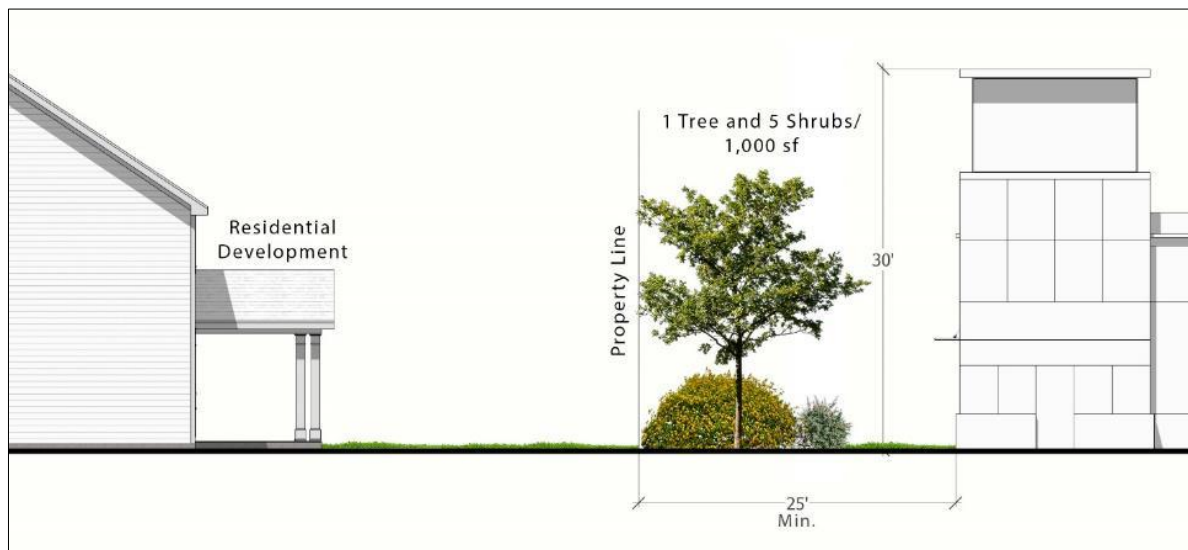


Figure 50 - Building transitions for commercial buildings 35 feet or less in height that are adjacent to residential development.

2. New commercial and industrial buildings, with a building height of more than 35 feet, that are located adjacent to existing residential development or residentially zoned property must have a setback from the shared property line of at least (*see figure 51*):
 - a. One (1)-foot setback for every foot of building height with landscaping that includes one (1) tree and five (5) shrubs per every 1,000 square feet of landscape area. This distance may be reduced when the uses are designed and integrated as a part of a mixed-use center within the Greater Downtown District or with enhanced landscaping as outlined below.

- b. Setback may be reduced by 5-feet with the inclusion of a minimum two (2) foot tall berm and two (2) trees and five (5) shrubs per every 1,000 square feet of landscape area.
- c. Setback may be reduced by 10-feet with the inclusion of a minimum six (6) foot tall solid wall and two (2) trees and five (5) shrubs per every 1,000 square feet of landscape area.

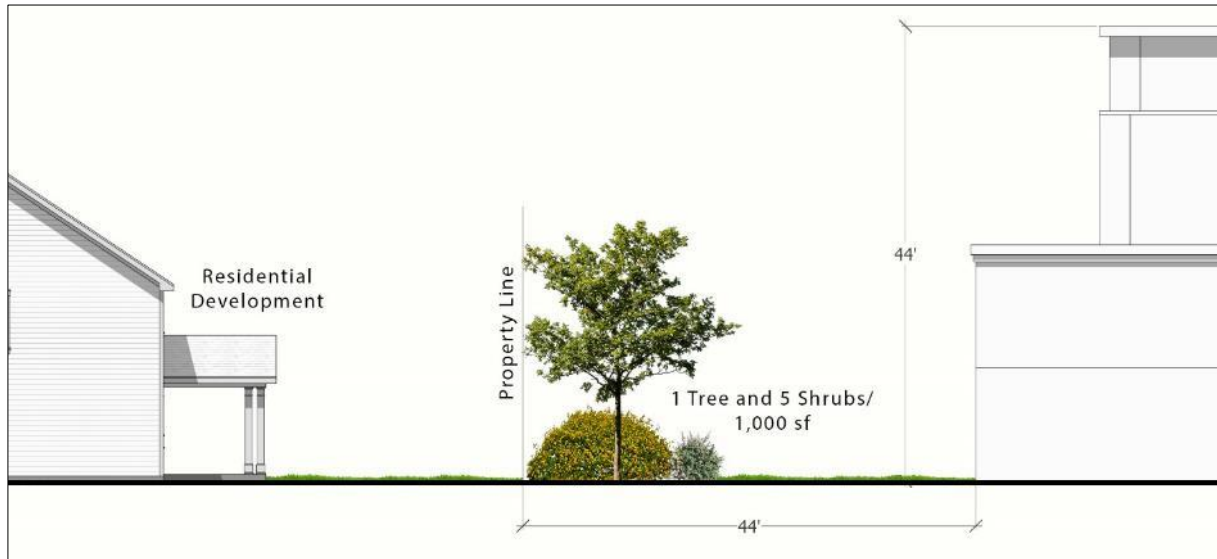


Figure 51 - Building transitions for commercial buildings 35 feet or more in height that are adjacent to residential development.

3. Service functions (drive-through, garage doors, loading, and servicing) must be located a minimum of 40 feet from existing and zoned residential uses, and designed with a significant landscape buffer or solid wall for screening. If a solid wall is utilized for screening, landscape shall be included adjacent to the wall to soften the appearance of the wall and enhance the aesthetics of the area (see figure 52).

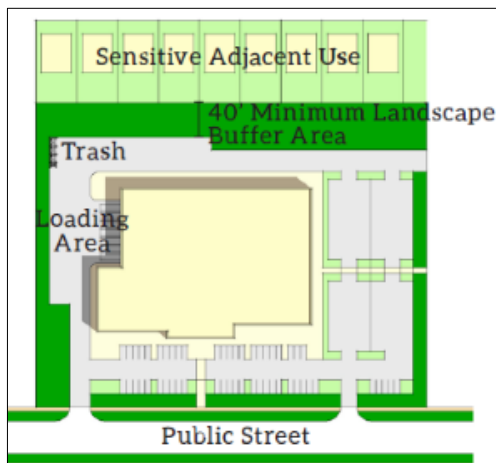


Figure 52 - Example of a commercial or industrial building service functions adjacent to a residential land use.

L. Access, Circulation and Parking

Site design considers safe pedestrian and vehicular circulation patterns of the site, in addition to building functionality and aesthetics. Site layout for commercial developments will address access into the site from a public roadway, safe pedestrian movement and parking considerations.

Well-planned pedestrian and vehicular circulation patterns for industrial developments responds to safe, efficient vehicle navigation for large truck traffic, loading functions, and parking considerations that address visitor, employee, and truck parking areas. These Design Standards address access, circulation, parking, and commercial development block layout of commercial and industrial sites.

Standards:

1. Commercial Development Block Layout

- a. To create a pedestrian-friendly environment and contribute to a walkable community, a commercial or industrial development parcel will be broken down into smaller commercial development blocks designed to connect the site to the existing street network to facilitate walking and bicycling between uses and to public areas (*see figure 53*).
- b. Commercial development block layout shall be based on general block dimensions, land use, site context, existing street and pedestrian connectivity and building typologies.
- c. A commercial development block shall break down a large-size parcel into developable lots with multiple access points, and provide street connectivity to public roadways and off-street parking.
- d. When laying out new streets or internal access drives to create blocks, development shall consider natural site features such as large trees or tree groves, floodplain, drainage ways and topographic conditions of the site.
- e. Building frontages and primary access to the site shall be maximized around the site parameters of commercial development blocks to create active street fronts and pedestrian walkability (*see figure 54*).
- f. Align new streets and connections into a site to create blocks that are compatible with the existing size, scale, and orientation of existing blocks in the area.
- g. The maximum block size shall not exceed 1,000 feet in length and width.
- h. Create pedestrian-friendly blocks by using paseos and pathways to further breakdown blocks to sizes ranging between 300 and 500 feet.

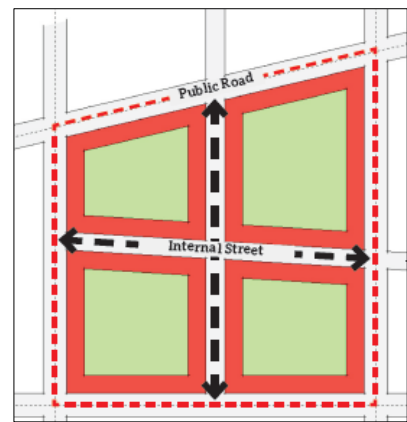


Figure 53 - Breaking down a large size parcel into developable lots with multiple access points.

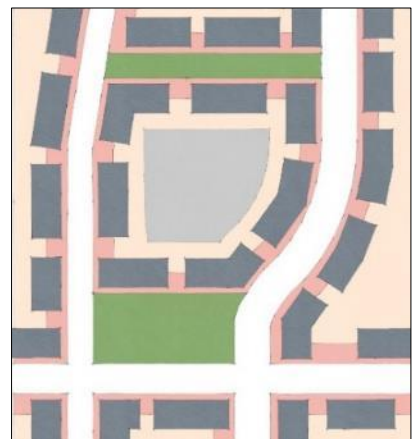


Figure 54 - Orient building frontages around the site parameters of the site to create active street fronts and pedestrian walkability.



Figure 55 - Example of commercial development blocks organized with internal streets and access within a horizontal mixed-use development.

2. Internal Access and Streets

- a. Design internal access drive aisles and streets to be safe and clearly defined.
- b. Accommodate pedestrian and bicycle movement to entrances with detached sidewalks, street trees, landscape edges and parallel or head-in parking spaces where appropriate.
- c. Sites shall connect internal access drive aisles or streets and sidewalks to public roadways.
- d. Internal access to commercial developments shall provide visually clear entry points using signage, or enhanced landscape features into the site from adjacent public roadways.
- e. Internal access drives and streets shall create pedestrian paths that respond to pedestrian and bicyclist needs to directly access the building from the internal access system.
- f. Internal access drives shall provide attractive public realm and streetscape environments, and provide wider landscape entry treatments or be framed by buildings (*see figure 55*).
- g. Internal Street Standards shall include all of the following:
 - i. Parallel parking along internal streets, where appropriate.
 - ii. A minimum five (5)-foot wide detached sidewalk shall be located behind the tree lawn or the curb.
 - iii. Where internal streets are adjacent to internal parking lots, an eight (8)-foot wide landscape buffer strip shall be provided to screen the parking lot areas (*see figure 56*).

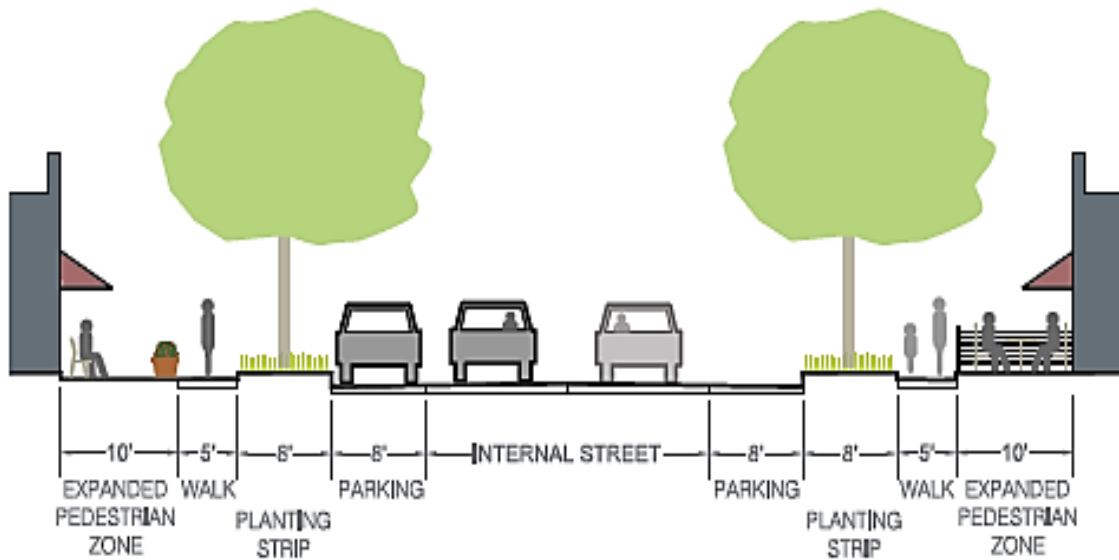


Figure 56 - Internal street frontage section.

3. Parking Lot Design

Intent:

Parking areas for commercial, industrial, and mixed use developments shall not be the main focal point of the site layout. Parking areas will be designed to be located in areas away from public roadways, open space and will be located behind or to the side of a building.

Standards:

- a. Commercial and Mixed-Use Parking:
 - i. Off-street parking shall be located behind the building, but may also be permitted between the building and a public or internal roadway if enhanced parking screening treatments are provided (see Section *F. Commercial Site Layout Options* for the *Town Preferred Site Layouts* that address parking lot locations).
 - ii. Parking lots shall have a designated center walkway that is bordered by landscape on both sides and connects to the primary building entrance point (see figure 57).
 - iii. A ten (10)-foot landscape buffer to include, but not be limited to, a minimum three (3)-foot tall landscape hedge or low masonry wall matching the character of the adjacent architecture shall be required when parking lots abut public open space and trails (see figure 58).

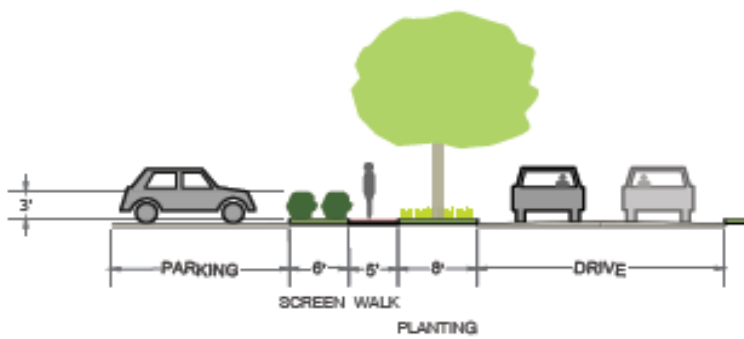


Figure 57 - Example (cross-section and photo) of parking lot screening design option using enhanced landscaping for screening.

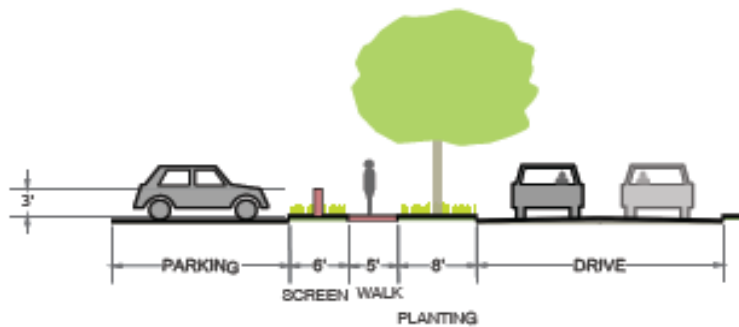


Figure 58 - Example (cross-section and photo) of parking lot screening design option using a fence for screening.

b. Industrial Parking:

- i. Industrial developments shall provide designated visitor/employee parking, and truck/trailer parking areas on the site.
- ii. A maximum of one (1) bay of parking shall be permitted in front of the industrial building for visitor or employee parking, between the building and the public roadway. The remainder of the parking shall be located on the side or rear of the building, with adequate screening from a public roadway, open space, parks, and view of the public realm.
- iii. Locate all truck/trailer parking areas to the side or rear of the building.

c. Exterior Light Fixtures:

- i. The style of all exterior light fixtures (for example pole mounted and outdoor wall light fixtures) must be complementary and tie into the overall building and site design to ensure a cohesive site layout (*see figure 59*).
 - a. Design exterior lighting to fully complement the architectural design of the building using consistent style, scale, and color.
 - b. Parking lot light fixtures shall not consist of more than two distinct styles.
- ii. For safe access from a parking lot, provide pedestrian-scaled light fixtures along sidewalks and/or pedestrian walkways throughout the site.



Figure 59 -Exterior light fixtures (both pole mounted and wall mounted) complement the overall site and aid in providing safe access for pedestrians.

M. Service, Storage and Display

Site design of commercial, industrial and mixed-use development shall effectively mitigate the visual and physical presence of back-of-house functions, loading and service, trash/dumpsters, utilities, and storage elements, while providing sufficient and functional service area use and access. Screening shall be used to minimize any noise or odor impacts associated with service areas.

Intent:

Commercial, industrial, and mixed-use outdoor storage and display items (such as equipment, motor vehicles, tractors, hot tubs and swim spas, retail merchandise, and other types of non-hazardous equipment and/or materials) shall be integrated into the site to minimize visual impacts.

Standards:

1. Outdoor Storage Areas

- a. Storage shall be located in the rear or on the side of buildings and shall be well-screened. Outdoor storage areas shall be arranged on the site, and screened aesthetically to minimize visual impacts from public roadways, open spaces, and access points to the site (*see figure 60*).
- b. Storage shall be fully screened and enclosed by:
 - i. A solid wall or solid fence a minimum of six (6) feet tall or the height of the material being stored, whichever is taller, not to exceed eight (8) feet for commercial development, and twelve (12) feet for industrial development (*see figure 61*).
 - ii. A landscape buffer that is a minimum of six (6) feet wide on the outside of the wall.
- c. Outdoor storage areas shall not encroach into the public realm areas that are meant for pedestrian or vehicular access.
- d. Chain-link fencing (either slatted or not) is not permitted on any commercial, industrial, or mixed-use site.

2. Outdoor Display Areas

- a. Outdoor display areas shall not encroach into public realm areas that are meant for pedestrian or vehicular access, and shall prioritize pedestrian, bicycle, and vehicular paths to ensure that the outdoor display does not impede movement (*see figure 62*).
- b. An outdoor display area shall be no longer than 50% of any single building facade.
- c. Outdoor displays are not permitted on any site landscaped areas or located next to any public roadways.



Figure 60 - Well-screened trash enclosure.



Figure 61 - Well-screened outdoor storage area with a solid fence/wall.

IX. Utilities

Intent:

Locate utility equipment (such as pedestals and utility boxes) away from the public realm to prevent detracting from the pedestrian-friendly environment of the development.

Standards:

1. All utilities, both free-standing and attached to buildings shall be screened from view of the public realm and shall be screened by elements like planting or fencing that provides year-round screening (*see figure 63*).
2. Utilities attached to the building shall be painted to match the building façade.
3. Utilities attached to the building shall be located on the side or rear to the greatest extent possible.



Figure 62 - Attractive outdoor display areas for merchandise.



Figure 63 - Landscape-screened utility boxes attached to a building.

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X. Building Design Standards

The Standards in this section focus on the design of commercial, industrial, and mixed-use buildings that will be high-quality, well-scaled, appropriate for their contexts, relative to human scale, sustainable and durable over time. The Building Design Standards include requirements for six (6) components of building design: *building type, building composition, form and massing, building elements, material and color palettes, and renovations and additions.*

A. Commercial and Mixed-Use Building Composition

Designing commercial and mixed use buildings will consider the existing architectural context of the surrounding built environment, articulation and modulation of building massing, and utilize pedestrian-scaled architectural detailing. The overall building composition will have visual balance to enhance the appearance at the street level and to create visual interest when the building is viewed from a distance.

Intent:

Organize the basic elements of a building such as walls and openings, to create a recognizable rhythm, increase visual interest and create a pedestrian-friendly environment at the street level.

Standards:

1. Bays

- a. The proportion of openings or other architectural elements shall be consistent throughout the building composition to create balanced building facades.
- b. The pattern of bays, walls, and openings shall be expressed on front and side building facades.
- c. For multi-story buildings, centerlines of openings shall be organized to align at each floor with the centerlines of the vertical building bays (see figure 64).
- d. When screened by another building or not visible from any public roadways or internal streets, rear facades may use simplified articulation of the same materials and patterns used on the front and side elevations of the building.

2. Fenestration

- a. To activate the street and create visual interest, arrange windows and other openings with transparent features to include clear glazing on each façade of the building. Faux windows and spandrel glass are not permitted.
- b. The amount of fenestration for a commercial building is described as a percentage of the ground-floor level façade starting at ground-level measured between two (2) feet to eight (8) feet.
- c. Transparency shall be greatest at the ground level for buildings with ground-floor storefronts. Transparency shall be based as follows:

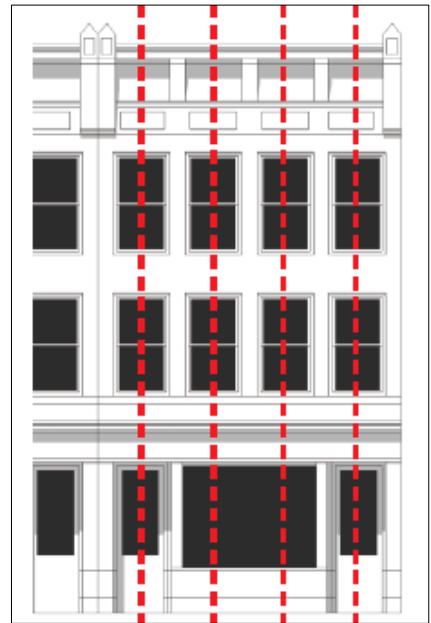


Figure 64 – Centerline openings aligned in bays.

- i. **Commercial buildings 100 feet in length or less:** Building fronts facing a public roadway or open space shall be subject to a transparency minimum of:
 - 1) Ground floor level transparency shall be a minimum of 40% measured as a percentage of glazing in the base of the building, for building fronts (see figure 65); and
 - 2) Ground floor level transparency shall be a minimum of 25% measured as a percentage of glazing in the base of the building, for a building side (see figure 66).



Figure 65 - Example of 40% window transparency for building fronting a public roadway



Figure 66 - Example of 25% window transparency for building facing a side street or parking lot.

- ii. **Commercial buildings 100 feet in length or more:** Building fronts facing a public roadway or open space shall be subject to a transparency requirement of:
 - 1) Ground floor level transparency shall be a minimum of 30% measured as a percentage of glazing in the base of the building, for building fronts (see figure 67); and
 - 2) Ground floor level transparency shall be a minimum of 25% measured as a percentage of glazing in the base of the building, for a building side.
- d. Mirrored, reflective, dark-tinted, or spandrel (frosted) glass/glazing is not permitted.
- e. Faux windows are not permitted on any building façade.

Guideline:

- a. High-quality operational glass-paneled overhead/garage doors may be incorporated into the building design to encourage the opening of interior spaces onto sidewalks, outdoor patios, and terraces.

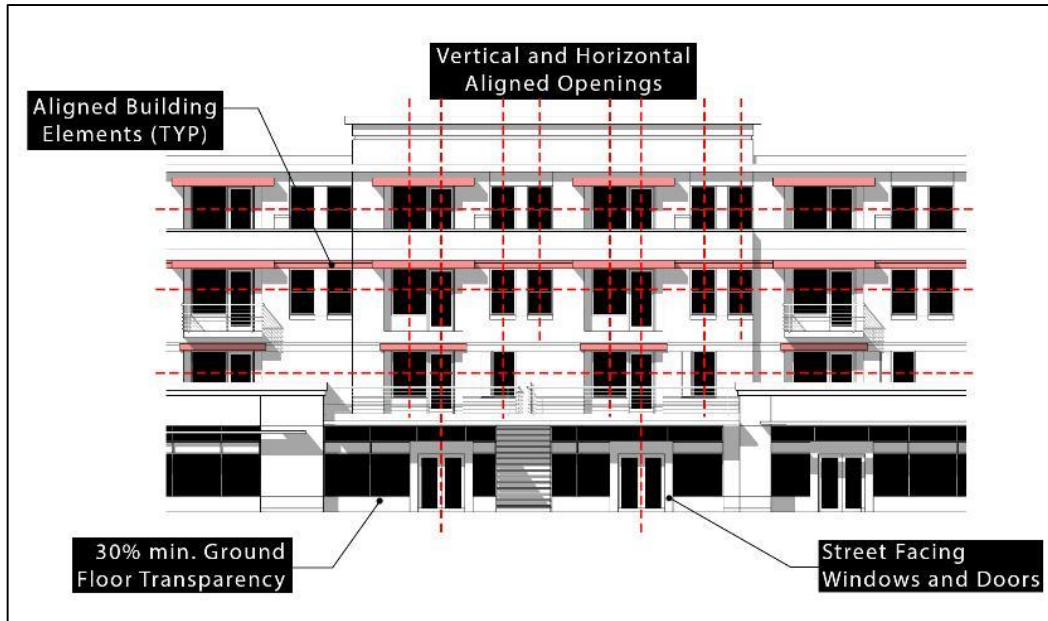


Figure 67 - Example of 30% window transparency on a mixed-use building facing a public roadway

3. Form and Massing

Building articulation and modulation for commercial, industrial, and mixed-use buildings help to create a balanced building design. The intent of these Design Standards is to seek solutions for breaking down building form and mass using techniques in the design of a variety of architectural styles.

Intent:

Create an aesthetically pleasing building form, and articulate the building in a way that will allow people to relate to the scale of the building. The massing of a building (the building's height, width, and shape) shall positively contribute to the surrounding environment, existing architectural context and public realm. Materials shall be applied in a balanced and high quality manner that breaks the building mass down horizontally and vertically.

Standards:

- a. Breaking Massing Down Horizontally:
 - i. Building mass shall be reduced through a variation in wall planes, wall surfaces, fenestration and height to achieve a pedestrian-scaled building design (*see figure 68*).
 - ii. Integrate varied roof lines, modulated building heights, stepbacks, or innovative architectural detailing.
 - iii. Use different textures, colors, materials, and distinctive architectural treatments in the building design that add visual interest while avoiding dull and repetitive façades.



Figure 68 - Commercial building with horizontal massing reduction through varied wall planes and fenestration.

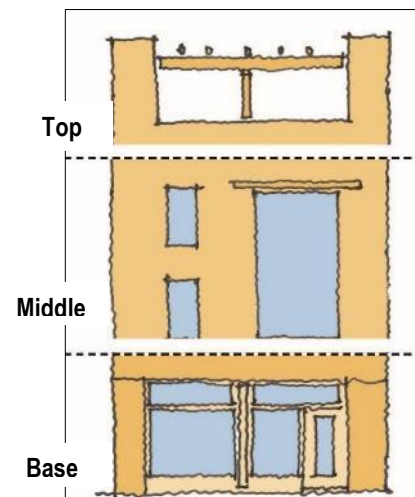


Figure 69 - Illustration of a building with distinct top, middle, and base massing.

- iv. All commercial and mixed-use buildings shall be organized with a visual top, middle, and base as follows (*see figure 69*):
- 1) **Building Base:** The building shall be defined by the use of materials that are heavier and sturdier at the base of the building such as stone, brick or masonry and shall be applied to all facades.
 - 2) **Building Middle:** The middle portion of the building shall connect the base and top together and shall be the majority of the building height. Approaches must include all of the following:
 - a) Visibly apparent material change
 - b) String courses (horizontal banding)
 - c) Stepbacks, recesses or protrusions
 - 3) **Building Top:** The top portion of the building shall include distinctive roof features or lines integral to the overall design of the building.

Guideline:

1. A variation of the requirement for a distinctive top, middle, and base will be permitted in the composition of the building to achieve a particular architectural style. The building design should be balanced and the base will include strong pedestrian-scale design elements (*see figure 70*).



Figure 70 - The PACE Center building composition exhibits a variation in the top, middle and base requirement for horizontal massing breakdown, which meets the Design Standards. (Photo by: John Ott)

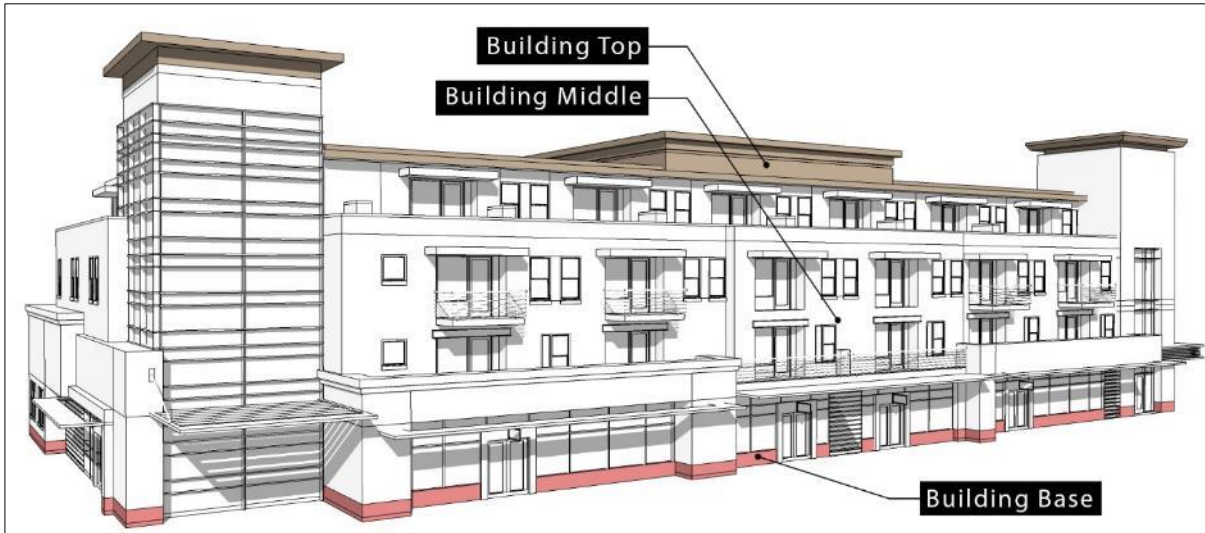


Figure 71 - Vertical mixed-use building with storefronts that front directly on the sidewalk.

- b. Breaking Massing Down Vertically:
 - i. Create regular intervals of vertical elements of the building composition to visually tie the base of a building to its top.
 - ii. Identifiable vertical breaks of the building's massing shall require three (3) of the following:
 - 1) A change in recesses, protrusions, or changes in the plane of the facade of the building sufficient to create a visible shadow line (*see figure 71*).
 - 2) A significant break in the eave line or roof form
 - 3) A change in facade material or color
 - iii. The frequency of vertical massing breaks for commercial buildings are required to be one of the following (*see figure 72*):
 - 1) Buildings less than 100 feet in length shall require a vertical massing break at a distance of 25 feet to front and side building facades.
 - 2) Stepbacks shall be increased based on the massing or architecture of the building and shall be a minimum of 12 inches in horizontal distance.

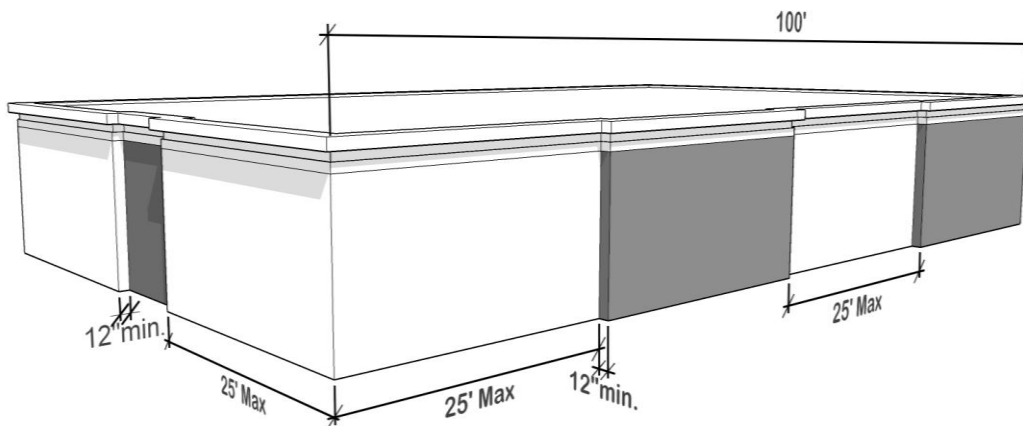


Figure 72 - Example of vertical massing breaks using change in wall plane for a building less than 100 feet in length.

- 3) Buildings over 100 feet in length shall require a vertical massing break at a distance of 25 feet to 50 feet to front and side facades (*see figure 73*).
- 4) Stepbacks shall be increased based on the massing or architecture of the building and shall be a minimum of 24 inches in horizontal distance.
- 5) Vertical massing breaks at tenant party walls for multi-tenant buildings.

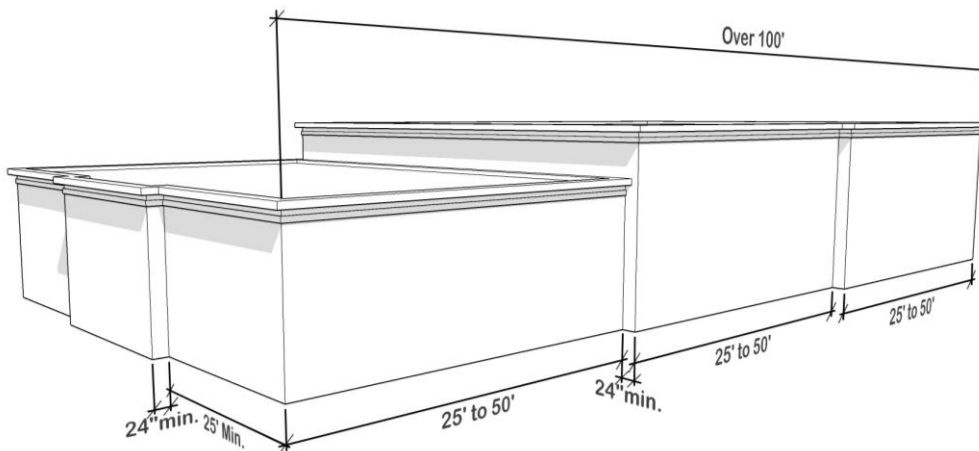


Figure 73 - Example of vertical massing breaks using change in wall plane for a building more than 100 feet in length.

c. Roof Forms:

- i. The building roof form shall be used to break down the building massing vertically, through the roof pitch and roof type characteristic to a specific architectural style.
- ii. Reinforce the overall objective of breaking down building massing vertically by expressing breaks and varying the roof forms (*see figure 74*).
- iii. A pitched roof, gable, overhangs, a flat roof with parapets and other roof forms shall be provided to clearly articulate the top of the building.
- iv. Roof forms shall be integral to the massing of the building.
- v. Acceptable roof forms are: pitched, gable, cross gable, shed, butterfly, flat, and hipped roof types.
- vi. Key elements, such as entries, towers, dormers, and corner elements shall have roof forms that add to the diversity of the building design.
- vii. Eave lines shall be continuous with a break in the eave line to reflect a change in massing, bay rhythm, tenant walls or to indicate a primary entry into a building.
- viii. Eave lines must overhang the building a minimum of 12 inches to provide visual interest in the building design. Larger overhangs shall be considered when conducive to the architectural style or for use in providing enhanced solar shading (*see figure 75*).

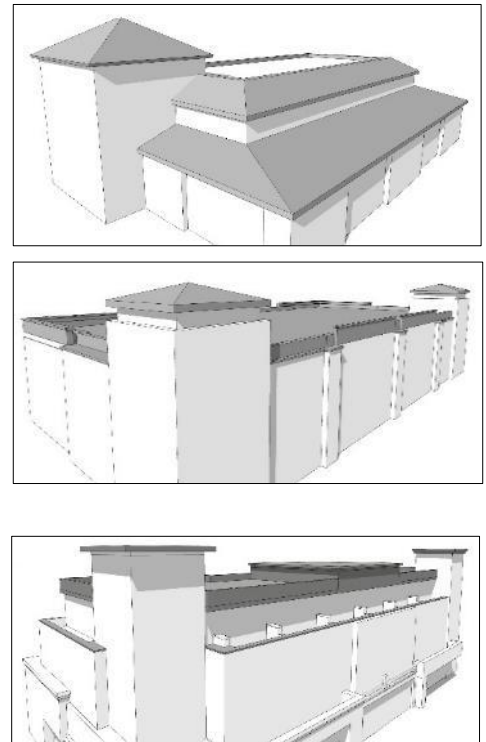


Figure 74 - Examples of varying roof forms to break down building massing.

d. Cornices and Parapet Walls:

- i. Articulation and detailing is required where the roof meets the wall using cornices, eaves, or rakes as detailing. Moldings, brackets, exposed rafters of at least twelve (12) inches and finials shall be used to give the roof/cornice proper visual weight and proportion to the building (see figure 76).
- ii. Parapets shall include breaks and variation in height and form and shall be aligned with the vertical breaks in building walls and/or tenant walls.
- iii. Buildings with flat roofs sloped 1-in-12 or less shall have parapet walls along all facades to conceal all sides of the roof.



Figure 75 - Example of a large eave overhang.

e. Corner Treatments:

- i. The portions of a building located at a corner or intersection shall be designed with greater building massing, high quality architectural design using prominent building elements to frame the intersection in which the building is fronting (See figure 77).
- ii. Building articulation shall wrap around the corner of the building and serve as an architectural focal point. Use architectural detailing such as: towers, domes, hipped or pitched roofs (see figure 78).
- iii. Buildings located at intersections shall include a plaza, courtyard or similar public space to create attractive and active outdoor public spaces with enhanced landscaping.

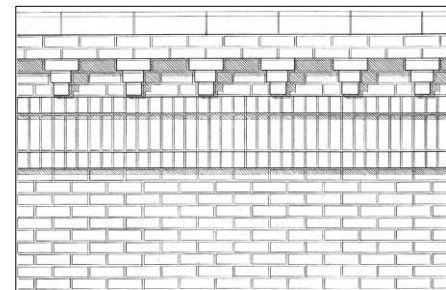


Figure 76 - Example of parapet or cornice with brick detailing.



Figure 78 - Example of commercial development located at an intersection with the application of corner treatments articulated with building elements that include canopies, awnings, a tower, and storefront windows that meet the design standards.



Figure 77 - Commercial building located at the corner of the intersection with prominent building elements.

B. Approaches to Composition

Intent:

Encourage diversity in the design of buildings and streetscapes that facilitate walking and pedestrian activity. The following options for building composition are appropriate and meet the Design Standards.

Standards:

1. Option 1 - Composing a Building as a Single Design

- a. This approach shall be applied to a single building composed as a single design:
 - i. Use a consistent material and color palette across the building.
 - ii. Ensure that massing is broken down vertically and horizontally with pronounced breaks and variation in the roof forms (reference *II. Building Design Standards, A. Commercial and Mixed-Use Building Composition, 3. Form and Massing*).
 - iii. Building design and architectural style shall be compatible and complementary, and consider the context of the surrounding buildings and environment (*see figure 79*).
 - iv. Emphasize corners through the use of special roof and architectural forms (such as towers, domes, hipped or pitched roofs).

2. Option 2 - Composing a Building as Multiple Buildings

This approach should generally be applied to a single building that is made to look like multiple buildings within the site:

- a. Where appropriate, design the building to appear like multiple small buildings adjacent to one another to create visual interest.
- b. Use different material and color palettes to emphasize the appearance of smaller buildings built next to one another (*see figure 80*).
- c. Emphasize corners through the use of special roof and architectural forms (such as towers, domes, hipped or pitched roofs).
- d. Building design and architectural style shall be compatible and complementary, and consider the context of the surrounding buildings and environment.



Figure 79 - Example of Option 1: In-line retail building composed as a single design.



Figure 80 - Example of Option 2: In-line retail building composed as multiple buildings with varying rooflines.

C. Building Elements for Commercial and Mixed-Use Buildings

Intent:

Break the scale of buildings down to pedestrian scale to provide visual interest at the street level and create rhythm along the building to reinforce the composition of the building.

Standards:

1. Front and Side Facades

- a. All front and side building facades that face a public roadway shall include a minimum of two (2) of the following building elements (*see figures 81 and 82*):
 - i. Awnings
 - ii. Canopies
 - iii. Arcades
 - iv. Galleries
 - v. Tower elements
 - vi. Prominent roof feature

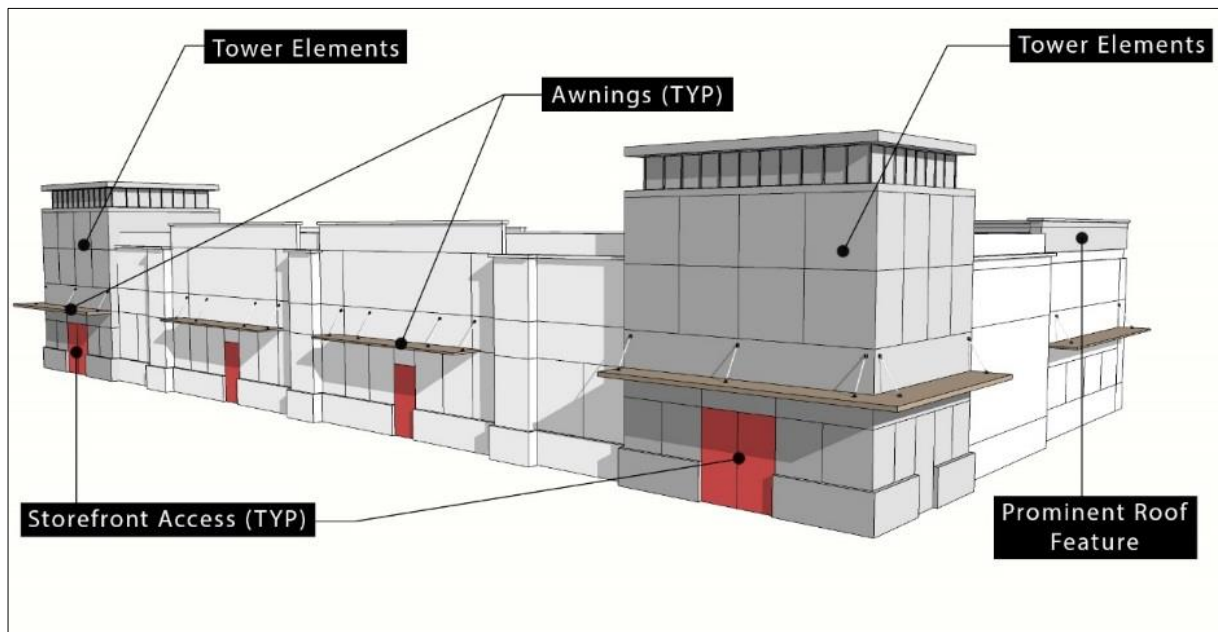


Figure 81 - Front and side facades of the building with tower elements, awnings, storefront access, and prominent roof features.



Figure 82 - Prominent restaurant entrance that has been articulated with awnings, a canopy and a tower feature.

2. Entrance

- a. An entrance shall be designed with a highly transparent storefront that is welcoming, visually interesting, and accessible to create an active pedestrian environment and inviting streetscape. See section VII. *Building Design Standards, A. Commercial and Mixed Use Building Composition, 2. Fenestration (a – e)* for fenestration requirements.
- b. A primary customer entrance on the front of the building is required for each ground floor tenant.
- c. Each entrance shall have a weather-protection covering with an awning, overhang or canopy.
- d. Entrances shall be articulated architecturally by (see figure 83):
 - i. Vertical breaks in the massing
 - ii. Breaks in eave lines and roof forms
 - iii. Awnings
 - iv. Canopies
 - v. Arcades



Figure 83 - Entrances that front onto a sidewalk with awnings.

3. Storefront

- a. Storefronts shall front directly onto the sidewalk or terrace level of commercial and mixed-use buildings.
- b. Storefront openings shall be set within bays that are clearly defined by the building's masonry base and/or architectural structure.
- c. Multiple storefronts within the same building shall be visually compatible in terms of scale, alignment, and their relationship to the building as a whole.
- d. Storefronts shall maintain a regular rhythm.
- e. Individual storefronts shall be distinguished by a minimum three (3) of the following list of design features at the ground level (see figure 84):
 - i. Lighting fixtures (full-cut off)
 - ii. Bulkheads
 - iii. String courses
 - iv. Piers or pilasters
 - v. Storefront cornice
 - vi. Tile work
 - vii. Masonry
 - viii. Awnings
 - ix. Transom windows
- f. Faux windows (backlit or not) are not permitted on any building façade.



Figure 84 - Example of a storefront with three design features: full-cut off lighting fixtures, awnings, and masonry.

Guidelines:

1. Development sites located within the Greater Downtown District's Historic Center shall have storefronts designed with kick plates at the base, clerestory windows above and a recessed entry.

D. Auto-Oriented Building Elements

Intent:

The design of commercial buildings with auto-oriented use components such as a commercial building with a drive-through canopy, gas station canopy and service bay doors will consider how these building components are organized and interrelate with the design of the building, and compatibility with surrounding land uses.

Standards:

1. Drive-Through Canopy

- a. The drive-through element of a commercial building (for example: drive-through canopies for banks, restaurants and pharmacies) shall have architecturally integrated drive-through canopies located over drive-through windows (*see figure 85*).
- b. The canopy shall be constructed of similar exterior materials, architectural design and the same color theme as the main building.
- c. The canopy shall be designed to protrude from the main building at a lower height from the main roof.
- d. Canopy roof forms shall match the same roof form as the main building. Acceptable roof forms include gable, hip, mansard, and flat roof shapes.
- e. The massing of a flat roof canopy shall be broken down to reduce the scale and massing and add visual interest to the overall design.
- f. The canopy area shall have safety measures such as adequate lighting, security cameras, directional signage, traffic mirrors and bollards painted to match the building.
- g. Column supports for the canopy shall be articulated with the same building material and color palette as the main building.



Figure 85 - Drive-through canopy on a commercial building with roof form that matches the main building.

2. Gas Station Canopy

- a. Canopies shall be designed with consistent materials, colors, and details as the main building façade.
- b. Canopy roof forms shall match or compliment the same roof form as the main building. Acceptable roof forms include gable, hip, mansard, butterfly roof shapes. A flat roof canopy is not permitted (*see figure 86*).
- c. The columns of the canopy shall repeat the same form and materials as the main building façade.

3. Garage and Loading Bay Overhead Doors (for Commercial and Industrial Buildings)

- a. Overhead doors for all commercial and industrial building types shall be integrated into the building design.
- b. Overhead door colors and patterns shall be complementary and designed with similar colors and detailing as the building, entrance doors and storefronts.
- c. Overhead doors for service bays shall be designed with high quality door systems suitable for long-term use and durability.
- d. Acceptable overhead door designs include commercial rolling and sectional doors with a minimum of two (2) rows of glass panels. Acceptable door styles include (but are not limited to): carriage-house style doors with crossbar detailing and glass panels, full glass panel door systems, and modern style designed door systems.
- e. Unarticulated, blank overhead doors are prohibited.



Figure 86 - Gas station canopies that have been designed with similar roof forms as the main building.

E. Industrial Building Composition

Building design for industrial uses will be compatible with the architectural context of the surrounding built environment and incorporate interesting articulation and modulation, utilize pedestrian-scaled architectural detailing and visual balance in building composition to enhance the appearance of the building at the street level. Recognizing the need to provide a balance between high quality architectural building design and the need to maximize the economic benefit of industrial uses, the following design standards apply to all industrial development types.

Intent:

Organize the basic elements of the building (wall and openings) to create a recognizable rhythm, increase interest, and create a pedestrian-friendly environment for front showroom or office areas of an industrial building.

Standards:

1. Bays, Openings and Fenestration

- a. Bays should be articulated to align with other building elements, such as pilasters, string courses, rooflines and vertical architectural elements (*see figure 87*).
- b. The pattern of bays, walls, and openings shall be expressed on all front and side facades of the building where visible from the public realm.
- c. Portions of the building facing or visible from public roadways shall be composed with openings or expressed bays, and street-facing windows and doors (*see figure 88*).
- d. Blank, windowless or walls with faux windows are not permitted (*see figure 89*).
- e. Windows and doors should be aligned vertically and horizontally. The arrangement of window panes shall be consistent across a façade and variation shall be minimized, although permitted if utilized in conjunction with building articulation to provide added interest.
- f. Front offices, showrooms, and employee break areas shall have a minimum ground floor window transparency of 30% on that portion of the building front, and 20% transparency on the portions of building sides that face public roadways.
 - i. For buildings with frontage on two public roadways, the primary roadway from which the building takes access will be deemed to be the front and the transparency requirements will apply to that side of the building.
 - ii. The portion of the building that faces a public roadway shall require enhanced architectural design and enhanced screening with either landscaping with an opacity of 80% at one (1) year maturity; or a decorative screening wall.
- g. All buildings shall have a clearly articulated primary entrance on the front facade for customers, visitors, and employees; and shall have architectural articulation to make the entrance more visible to the public realm.



Figure 87 - Example of bays that align with vertical architectural elements, string courses, and the roofline.



Figure 88 - An industrial building with a consistent rhythm and pattern of bays and openings on the front façade, with street-facing windows and doors.



Figure 89 - An industrial building with a long blank windowless wall is not permitted and does not meet the Design Standards.

2. Form and Massing

Intent:

Industrial buildings can be designed to be aesthetically pleasing building forms that are articulated in a way that allows people to relate to the scale of the building in public locations, regardless of the length of elevation or height of the building. Materials shall be applied, balanced, and articulated in a logical manner that supports the strategy by which buildings comply with the standards for breaking masses down horizontally and vertically.

Standards:

- a. Breaking Massing Down Horizontally:
 - i. Break down the form and massing to reduce the impersonal appearance of a large-scale building, and to allow users and visitors to relate to the scale of the building at publicly accessible areas (*see figure 90*).
 - ii. Create variations in the building façade through recesses, protrusions, entries, or changes in plane.
 - iii. Place the most active functions such as office space or customer areas at the front of the building.
 - iv. Walls shall not have an uninterrupted length exceeding fifty (50) feet, and shall be articulated with texture and material transitions, pilasters, windows, and wall-plane stepbacks to break up the wall area.
 - v. Showroom or office components of warehouse buildings shall be differentiated from the warehouse massing, through changes in roof form, materials, massing, and the use of building elements.
- b. Breaking Massing Down Vertically:
 - i. When breaking down an industrial building vertically, the top, middle and base should be distinguished by a visibly apparent exterior building material and color change.
 - ii. All warehouse buildings (except for office or showroom portions), shall have two (2) vertical massing breaks for every 100 feet (applies to front and side facades).
 - iii. For smaller industrial buildings, vertical massing breaks are required every 40 feet for any facades longer than 80 feet (applies to all facades).
 - iv. All stepbacks shall be a minimum of 12 inches in horizontal distance. Stepbacks shall produce a visible distinctive difference between planes and shall be scaled with the building. Stepbacks may be required to be increased based on the massing or architecture of the building.

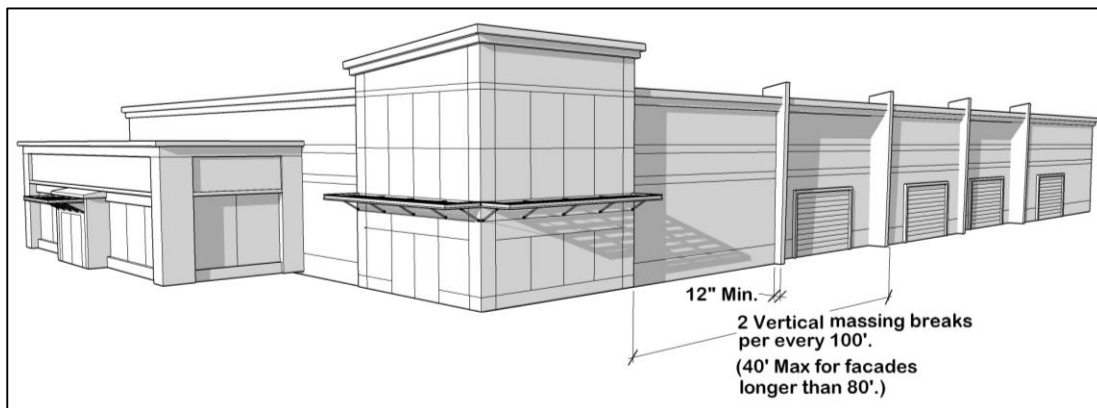


Figure 90 - Industrial building vertical massing breakdown.

- c. Roof Forms:
 - i. All industrial buildings shall have roof forms that contribute to the overall character of the industrial development, and help break up the building massing to create visual interest in the overall architectural design.
 - ii. All rooftop mechanical equipment shall be fully screened on all sides of the building.
- d. Corner Treatments:
 - i. Building massing, high quality architectural design, and significant and enhanced landscape treatment shall act to frame the corners of the building.
 - ii. Building articulation shall wrap around the corner of the building and serve as an architectural focal point (*see figure 91*).



Figure 91 – Example of an industrial building with corners that have been articulated to create an architectural focal point.

F. Industrial Building Elements

Intent:

To enhance the appearance of a building at the street-level, the building composition will incorporate pedestrian-scaled architectural detailing to create a distinct design at the human-scale. Building elements provide visual interest and rhythm along the building and reinforce the building composition.

Standards:

1. When screened by another building or not visible from any public roadways or internal streets, rear facades may use a simplified expression of the same materials and patterns used on the front and side elevations of the building.
 2. Side facades facing the public roadway shall have a similar level of quality and architectural interest as the primary façade, using a variety of exterior building materials, reveals and various depths of the façade.
 3. Buildings shall be designed with consistent materials, colors, and details on all facades visible from a public roadway or publicly accessible areas.
- 4. Office and/or Showroom**
- a. Showroom or office components of warehouse buildings shall be differentiated from the warehouse massing, through changes in materials, massing, and use of building elements (*see figure 92*).
 - b. Design portions of the building that will be accessible to the general public to feel comfortable to users accessing the building from a visitor parking area.
 - c. All office or showroom portions of buildings shall have varied complementary materials and color to enhance that portion of the building from the warehouse portion.
 - d. All office or showroom portions of buildings shall consist of a minimum masonry, tile or high quality material at the base of the building that represents a minimum of 30% of the total building façade.

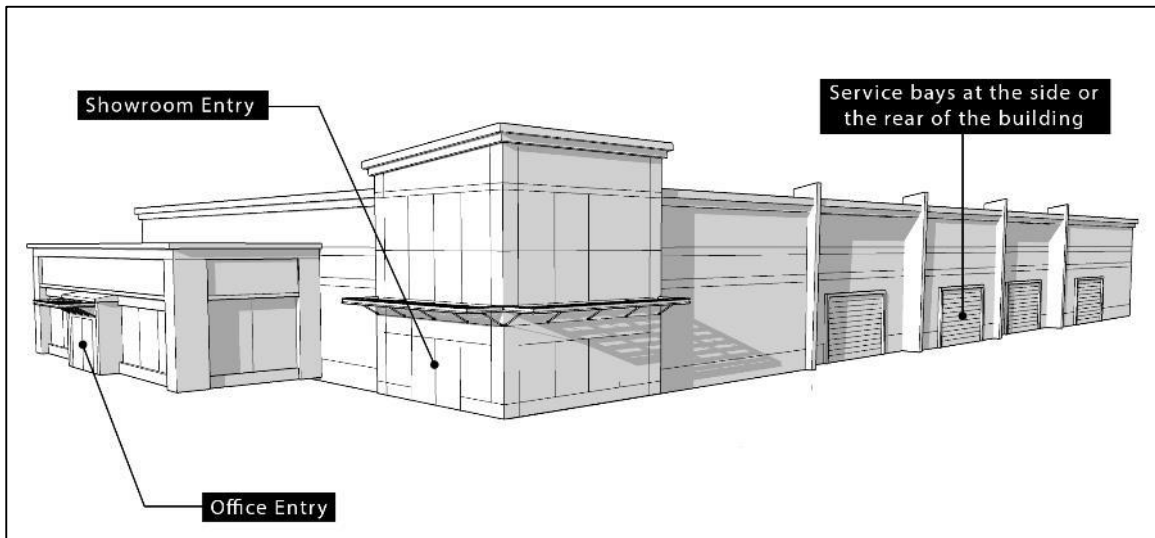


Figure 92 - Industrial building with office and showroom differentiated from the warehouse and loading docks.

G. Flex Office and/or Multi-Tenant Building

A flex space building features single or multi-tenant assignable spaces designed for a variety of industrial uses. The flexibility of the interior space of a flex space building allows for a building design with an office/showfront on the primary façade, with garage bays and/or loading docks and a warehouse element that supports the industrial functions of the building, located at the rear of the building.

Intent:

The design of a flex space and/or multi-tenant building shall incorporate a unified architectural design which reflects the relationship between the office and/or showroom portion of the building and the warehouse, and/or loading docks.

Standards:

1. The building front shall feature consistent high quality architectural design, with distinguishable massing, building material palettes, and landscaping treatments (*see figure 93*).
2. The corners or sides of the building shall include higher transparency at the entrances of the building.
3. Storefronts and entrances shall include canopies and/or awnings to enhance each flex space unit entrance.
4. Warehouse portions of the building, and garage door bays and loading docks shall be located at the rear of the building away from view of a public roadway.



Figure 93 - Multi-tenant/flex office industrial building with warehouse and loading docks in rear of the building.

H. Putting it All Together: Case Study

The case study below demonstrates the same size, program, structure, and material mix for an industrial building. The first does not comply with the Design Standards for form and massing, composition, and building elements. The second image illustrates how the same building could be designed to meet the Design Standards.



Poorly composed industrial building that does not meet the Design Standards

POORLY COMPOSED BUILDING

1. Rooflines do not correspond to a change in plane or fenestration
2. The primary entry, while articulated with the most prominent roofline, is not articulated with the most prominent change in plane.
3. Four different bays are utilized
4. Windows of the same story do not align
5. String course and pilasters do not relate to other façade elements
6. Downspouts and lighting fixtures do not relate to other façade elements



Well composed industrial building that meets the Design Standards

WELL COMPOSED BUILDING

1. Changes in the roofline relate to fenestration below or a change in the façade plane
2. The corner massing is forward of the others and signals where the primary entry is located
3. Three different bays are utilized
4. Window heads align on the first story
5. Pilasters align with window headers and their bases align with window sills
6. Lighting is centered above a bay and downspouts are centered on pilasters

XI. Exterior Building Palettes for Commercial, Industrial and Mixed-Use Buildings

All commercial, industrial, and mixed-use buildings shall be constructed with authentic high quality building materials. The characteristics of high quality building materials include durable materials such as colored masonry, stonework, brick work, wood cladding, and metal siding used in the detailing of the building that will stand the test of time. The result is an aesthetically-pleasing design that integrates surface texture and detailing that help reduce the building massing (both vertically and horizontally).

The application of multiple exterior building materials must be applied and articulated in a balanced manner to complement the building design using a variety of cladding materials, color and texture changes. Accent materials will provide architectural interest and achieve a balanced building design.

Intent:

Exterior building palettes consisting of high quality authentic building materials shall be used to enhance the building façade and overall composition.

Standards:

1. Utilize varied building materials with complementary color palettes in the building composition (*see figure 94*).
2. Select building material detailing that complements the surrounding architectural design of the built environment.
3. Integrate wood, tile, architectural textured panels, stucco, fiber cement panels, Exterior Insulation and Finish Systems (EIFS), and/or metal cladding materials as accent elements in the design.

Guideline:

1. Utilize building materials that are authentic to and durable in the Colorado environment.

A. Exterior Building Material Requirements

Intent:

Present an image of high-quality and permanence to ensure that commercial, industrial and mixed-use developments are sustainable, durable in the Colorado climate and will complement the surrounding context.

Standards:

1. Masonry Base Requirements

- a. Use durable, natural materials or modern composites that provide comparable or greater durability than natural materials to achieve a similar aesthetic.
- b. Buildings three stories or more shall have a masonry base the height of the ground or first floor.

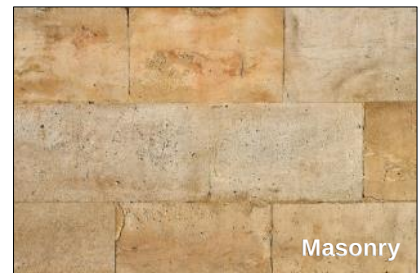
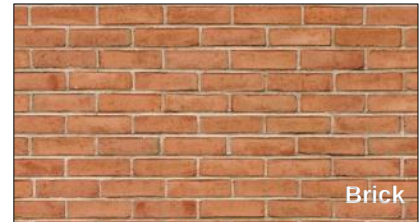


Figure 94 - Examples of high quality exterior building materials that meet the Design Standards.

Guideline:

- a. Select bays or corner features may be constructed in masonry for the entire height of the building, depending on the building design and architectural style.

Standards:

2. Window Requirements

- a. All windows must be a true window product and not a faux window. Faux windows are not permitted on any commercial or industrial building design.
- b. Window mullions shall be selected in colors that are complementary to the building design (i.e. sandstone and bronze, and other complementary colors) and follow the Color Standards in K. *Color Palettes*; (see figure 95).
- c. Spandrel glass (either frosted or not), is not permitted in any occupied space of a commercial, industrial, or mixed-use building. However, this treatment may be permitted as accent detailing on the building. For more information, see section 6.f. *Building Materials Permitted for Limit Use as Accent Detailing*.



Figure 95 - Building front with complimentary windows that meet the Design Standards.



Figure 96 - Building side with EIFS used as an accent material on the façade.

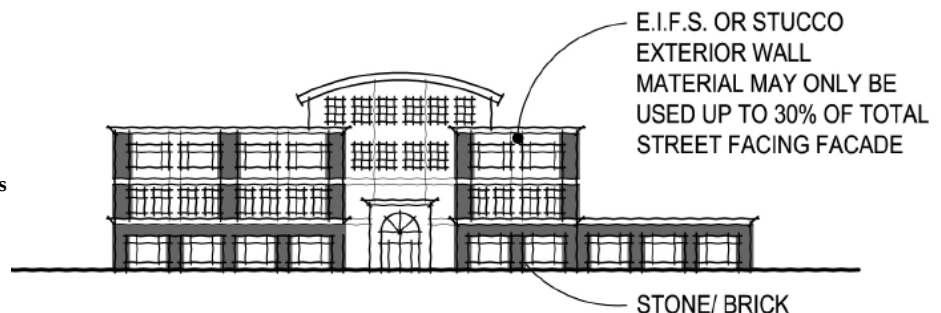
3. EIFS Requirements

- a. The use of Exterior Insulation and Finish Systems (EIFS) in building design will be based on the design intent of the building with particular attention to the detail of EIFS scoring, texture and how the material will fit with and complement other materials. These design standards for applying EIFS are:
 - i. EIFS shall not be used as a primary building material and shall only be used as an accent application on any building façade (see figure 96).
 - ii. EIFS may be used in combination with other exterior building materials on the side and rear of the building, and shall comprise no more than 30% of the total street facing façade (see figure 97).
 - iii. EIFS may be used on upper floors of buildings three stories or greater in height and shall comprise no more than 30% of the total street facing façade (see figure 98).
 - iv. EIFS shall be applied as color integrated, with a high quality finish/texture when used on any building façade.



Figure 97 - Building front with less than 30% of EIFS integrated with other exterior materials on the front of the building.

Figure 98 - Illustration of EIFS application that meets the Design Standards.



4. Alternative Compliance (Building Façade Material Incentive)

- a. If an applicant includes exceptionally designed building elements constructed of high quality materials on the first two stories of the building, they may qualify for:
 - i. 25% reduction on the masonry requirement; or
 - ii. 25% increase to the EIFS and Stucco requirement

5. Building Materials Not Permitted

- a. The following exterior building materials are restricted from use for commercial, industrial, and mixed-use building design:
 - i. Split shake shingles
 - ii. Products that emulate brick or masonry (such as a veneer)
 - iii. Smooth-faced gray concrete block (CMU) (*see figure 99*). Color CMU may be permitted as an accent material only in the building design.
 - iv. Painted concrete block
 - v. Tilt-up concrete panels that are not covered with textured paint or another material. Tilt-up concrete construction may be utilized, provided architectural detailing such as detailed patterns and reveals in the finished surfaces, form liners to create interesting textures and patterns, texture coat paints, and architectural detailing are implemented.
 - vi. Field painted standard metal siding
 - vii. Vinyl siding
 - viii. Standard single (T) or double (TT) concrete systems
 - ix. Barrier type Exterior Insulation and Finish Systems (EIFS)
 - x. Fiber cement siding and panels that imitate masonry.

6. Building Materials Permitted for Limited Use as Accent Detailing

- a. Pre-finished standard (aluminum or metallic coated steel) corrugated metal panels may be used as an accent material in the building design. The corrugated metal panels may be installed horizontally or vertically on exterior building walls to create a distinct pattern and to accentuate the overall building design.
- b. Rough sawn wood may only be used as an accent material such as a trellis or beam material and must be weather-treated (*see figure 100*).
- c. Stucco and non-barrier type EIFS
- d. Wood cladding
- e. Fiber cement paneling that do not replicate brick or masonry.
- f. Spandrel glass will only be permitted as an accent building material only (for example spandrel glass windows at the top a tower feature), and shall not be used in the design of any occupied floor space.



Figure 99 - Smooth-faced gray concrete block is not permitted as a primary building material. This building does not meet the Design Standards.

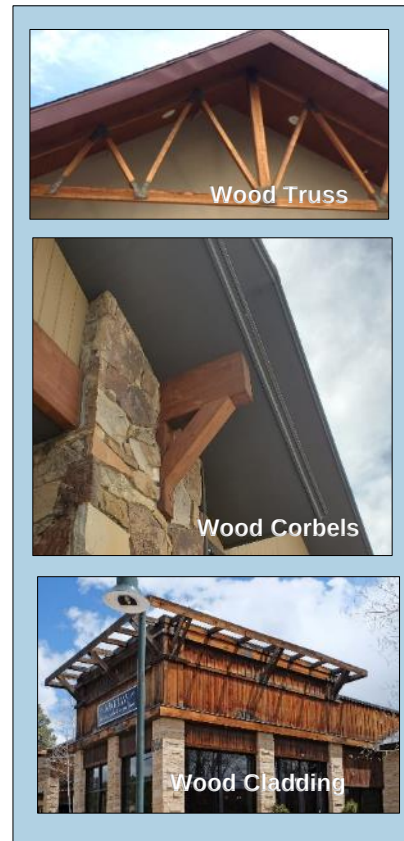


Figure 100 - Examples of permitted materials for limited use as accent detailing: rough sawn wood truss, wood corbels, and wood cladding.

B. Color Palettes

Intent:

Exterior color palettes shall be cohesive and compatible with the colors of nearby structures and shall be used to enhance, unify, and complement the building design.

Standards:

1. Coordinated color themes shall consist of a minimum of three (3) different colors: a primary base color, and secondary accent colors to complement the base color.
2. Color palettes shall tie building elements together and shall be used to enhance the architectural form of the building.
3. Intense, bright (for example, a neon color), black, or fluorescent colors are not permitted to be used as the predominant color on any wall or roof of any primary or accessory structure.
4. All exterior elements of the building that are metal, such as flues, and flashings shall be painted a flat color that is compatible with the building and not be left nor allowed to become bare metal. Exceptions to this standard may occur, such as but not limited to copper roofs, which do not require painting.
5. Trademarked corporate/brand color themes may be used as an accent color and shall be limited to two colors in the overall color theme of the building.

C. Renovations, Additions, and Changes in Use

Adaptive reuse of existing commercial and industrial buildings provides an opportunity to preserve the integrity of a building while transforming and blending the new additions into a new land use. Building design considerations for renovation, additions, and changes to an existing commercial or industrial building will include: compatibility with the architectural context of the surrounding built environment, utilization of pedestrian-scaled architectural detailing, achieving visual balance in building composition and enhancing the overall appearance of the building at the street level. This section provides guidance on how to meet the Standards in these cases.

Intent:

Parker has a large share of older buildings that would benefit from adaptive reuse and renovation, allowing continued use of aging building stock. The intent of adaptive reuse is to repurpose an existing building through innovative architectural design to achieve renewed vitality and modernize building functions and uses.

Standards:

1. Any addition or alteration to an existing exterior wall of an existing building shall comply with all applicable Design Standards including site design, landscaping and parking standards.
2. Additions to an existing building shall be secondary in massing and form to the primary mass and form of the existing building. This shall be accomplished by:
 - a. Ensuring that the mass of the addition has a similar massing as the mass of the existing building.
 - b. Stepping the mass of the addition back a small distance from the mass of the existing building.
 - c. Ensuring that the roof form of the new addition is designed to complement existing roof slopes and materials (*see figure 101*).
 - d. Ensuring exterior building materials complement existing materials of the existing building.
 - e. Either matching existing materials and colors or incorporating a change in materials and

color that will complement the existing building.

3. Renovations of all buildings, including the design of a new architectural character shall:
 - a. Comply with all exterior building material and color palette requirements of these Design Standards.
 - b. Apply at least two (2) high-quality building elements appropriate for the given building type as listed in section C. *Building Elements for Commercial and Mixed-Use Buildings, 1. Front and Side Facades; or F. Industrial Building Elements.*
4. Introducing new roof forms for additions and wings shall be considered for massing changes and to strengthen the buildings form and character. The new roof form must be a continuation of, and complement the original roof type, and match the existing roof slopes and materials.



Figure 101 – Example of a building addition with a similar massing, roofline, and complementary building materials.

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Chapter 2: Multiple-Family Design Standards

Urban Design Intent and Principles

The intent of the Multiple-Family Development Design Standards is to ensure that future development of multiple-family housing contributes to the hometown character of Parker. The Design Standards provide specific requirements related to the urban design of sites, buildings, exterior open spaces, and publicly accessible spaces.

Multiple-family housing design principles relate to embracing the dignity of all residents of Parker to live in a well-designed community with high-quality amenities, regardless of the type of housing type they live in or their ownership status. Elevating the level of design for multiple-family housing will enhance the livability and quality of life for all Parker residents.

Creating Neighborhoods Versus Developments

The principles below guide multiple-family residential housing in Parker. They serve the purpose of creating high-quality neighborhoods, rather than identifiable developments.

- **Hometown Feel:** Multiple-family developments should create a sense of place contributing to the hometown feel.
- **Variety:** New multiple-family housing should be designed in a manner that promotes a variety of housing types to support families at any stage in life.
- **High Quality:** Multiple-family housing should be composed of high-quality design, materials, color and palettes, and landscape design.
- **Context:** Multiple-family housing should be designed to enhance and relate to the context of the surrounding natural and built environment.
- **Livability:** Multiple-family housing should be designed to enhance the livability of the residents and contribute to the larger community.
- **Human Scale:** Multiple-family housing should be designed at a human scale, creating safe, walkable, pedestrian, and bicycle friendly environments that are visually interesting and support sidewalk and street activity.
- **Public Spaces:** Multiple-family developments should have safe, accessible, passive, and active outdoor functional public spaces that promote a sense of community and convey an inviting interactive experience.
- **Clearly-Defined Blocks:** Multiple-family neighborhoods should be organized into identifiable blocks, with buildings oriented towards streets and open spaces. Creating blocks with clearly-defined publicly accessible and private realms ensures ‘eyes on the streets’ and builds natural surveillance into neighborhoods.



Figure 2.1 Example of Attached Townhouse development



Figure 2.2 Example of Multiple-Family building



Figure 2.3 Perspective of typical residential neighborhood



SITE DESIGN

1. Buildings fronting streets and parks
2. Sidewalks/pedestrian-oriented design
3. Internal complete streets with on-street parking

BUILDING DESIGN

4. Bay with gable roof
5. Box bay windows
6. Awnings, terraces, and front stoops
7. Dormers
8. Varied roof forms and eave lines

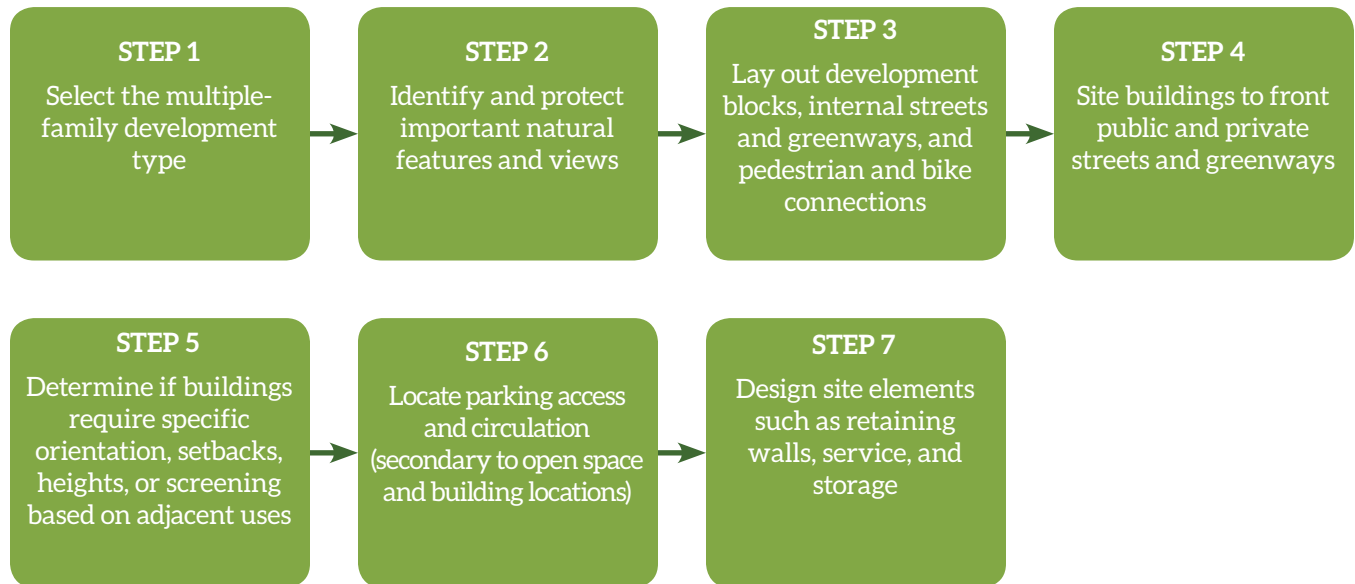
PUBLIC SPACE DESIGN

9. Neighborhood amenity landscape features to encourage interaction
10. Defined public and private space
11. Lighting and street furniture

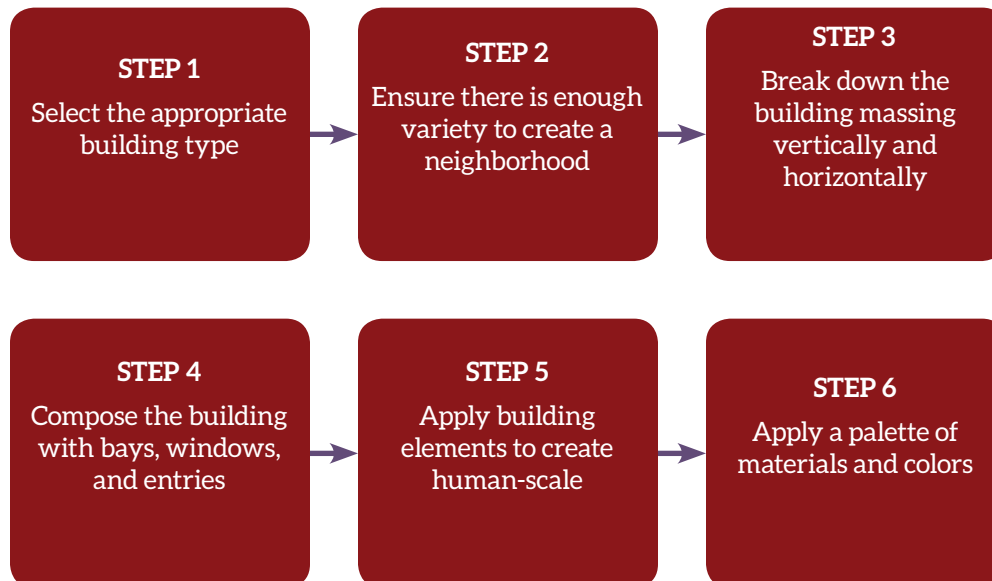
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Key Steps to Design a Multiple-Family Development

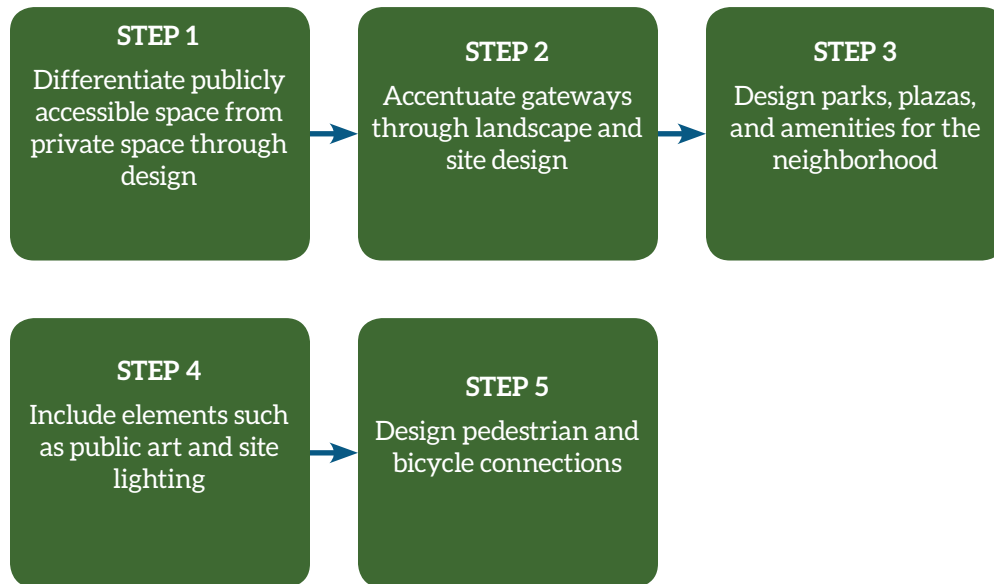
How the Site Comes Together



How Buildings Come Together



How Publicly Accessible Spaces Come Together



Planning Context for Multiple-Family Development

Introduction

The planning context for multiple-family development standards integrates the vision of the Town's Master Plan and other major planning documents.

Considering context is critical when developing multiple-family neighborhoods that contribute to the hometown character of Parker. Responding to physical context and following the Town's planning context will more likely result in development that fits into the character of the Town and relates to adjacent uses. Context should always guide the form, orientation, and character of new development.

A. Physical Context

The physical context that surrounds a development site, including uses, scale, massing, building character, and site design of surrounding development should influence the design of multiple-family housing. For example, the architectural style of nearby buildings should influence the design of new multiple-family housing. Section 2.4.6. in the Development Design Standards addresses Sensitivity of Adjacent Uses and provides standards to design multiple-family in a responsive manner.

B. Planning Context

Regulatory and policy documents adopted by the Town add a level of planning context that must be taken into consideration in the design of multiple-family housing. Three documents in particular, the Parker 2035 Master Plan, the Greater Downtown District Standards, and the Mainstreet Master Plan, provide direction related to development within specific areas of the Town.

ELEMENTS OF CONTEXT

- Massing and scale of surrounding buildings
- Sensitivity to adjacent uses
- Viewsheds and sight lines
- Character Areas and Centers (Parker 2035 Master Plan)
- Greater Downtown Districts (Parker Mainstreet Master Plan, Greater Downtown District Standards)



Figure 2.4 Example of development fronting Public Open Space



Figure 2.5 Example of development fronting Public Street

Parker 2035 Master Plan Context

The Parker 2035 Master Plan sets the policy for the Town to guide decision-making. It also sets a framework for planning in specific contexts. In particular, *Chapter 6: Land Use* designates Commercial Centers and Character Areas, describes the character of the town, and sets appropriate future land uses for these areas of the Town.

A. Neighborhood Center and Community Center Treatments

Neighborhood and Community Centers are generally located at key intersections of major roads. In these specific areas multiple-family serves as a transition between more intensive commercial uses and single-family residential neighborhoods. In this context, multiple-family is adjacent to low to medium density single-family homes. In addition to meeting the standards described in this chapter, multiple-family development in a Neighborhood Center must pay attention to the following:

1. The scale and massing of buildings shall respect the scale and massing of adjacent buildings. Multiple-family units shall step down (step-back) in height when adjacent to single-family detached neighborhoods according to the Standards in *2.4.6.A Multiple-Family Development Adjacent to Single-Family Detached Homes* (See Figure 2.7 below).
2. Multiple-family housing shall be connected to surrounding uses and include pedestrian, bike, and street connections to adjoining neighborhoods, commercial uses, and the trail system to encourage walking and biking.

B. E-470 Corridor and Central Commercial Character Area Treatments

The E-470 Corridor and Central Commercial Character Areas are located along highways. While these character areas contain commercial uses that are more auto-oriented, multiple-family development can be integrated into these surrounding land uses. Multiple-family neighborhoods in these areas should be designed to create visually interesting, consistent, and high quality development linking commercial land uses with residential development and creating a walkable neighborhood near local amenities and services.

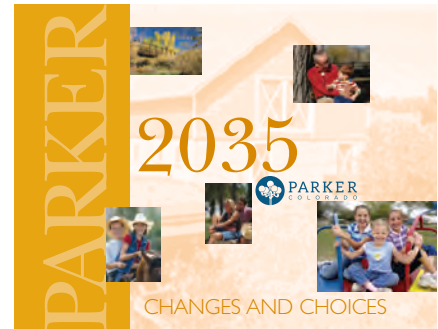


Figure 2.6 Parker 2035 Master Plan

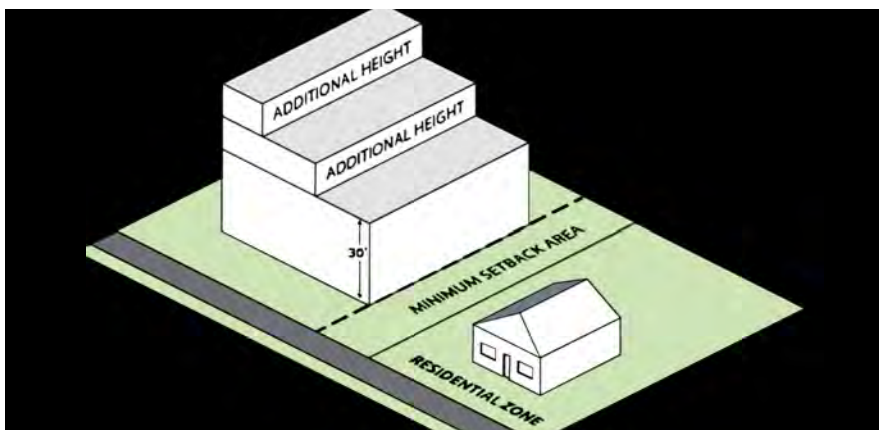


Figure 2.7 Required setback and step-backs from single-family detached neighborhoods

1. **E-470 Corridor** — In addition to meeting the standards described in this section, multiple-family housing within the E-470 Corridor Character Area:
 - a. May be larger in scale and massing along this corridor because of the surrounding land uses, vehicular speed, and building scale of E-470.
 - b. Must provide street, sidewalk, and trail connections to link multiple-family neighborhoods to adjacent public rights-of-way, the regional trail network, and future development in the corridor.
2. **Central Commercial Character Area and the Parker Road Corridor** — Because of the level of retail and employment located within the Central Commercial area, multiple-family developments allow for a greater opportunity to live, work and play in Parker. The Parker Road Corridor encompasses all properties fronting Parker Road from the northern boundary of Town to south of Stroh Road. Between Pine Lane and Twenty Mile Lane, the Corridor also encompasses everything between the properties on the west side of Twenty Mile Road and the properties on the east side of Parker Road. In addition to meeting the standards described in this section, multiple-family housing located along Parker Road corridor:
 - a. Must provide street, sidewalk, and trail connections to link multiple-family neighborhoods to adjacent public rights-of-way, the regional trail network and future development in the Character Area.

Mainstreet Master Plan Context

The Mainstreet Master Plan encourages mixed-use development and does not recommend first floor residential land uses fronting on Mainstreet between Parker Road to the easterly intersection with Pine Drive. Where zoning permits first floor residential development that faces Mainstreet in other areas, multiple-family building design should include these additional design elements:

1. First floor residential facing Mainstreet shall be constructed to allow for conversion to commercial uses.
2. First floor window fenestration shall be 60% glass or higher for buildings facing Mainstreet.
3. First floor heights shall be 15 feet or greater (floor-to-floor).



Figure 2.8 Parker Mainstreet Master Plan

Site Design Standards

Quality site design requires a process of considering existing property assets and context and the future environment of streets, open spaces, and buildings. This section outlines the critical steps to follow when designing a site and applying the corresponding standards and guidelines. The steps generally move from large-scale, highly visible, and important decisions that affect the character of the neighborhood to smaller-scale, functional decisions. The graphic below (*Figure 2.9*) and the following steps and Chapter sections outline the site design process.

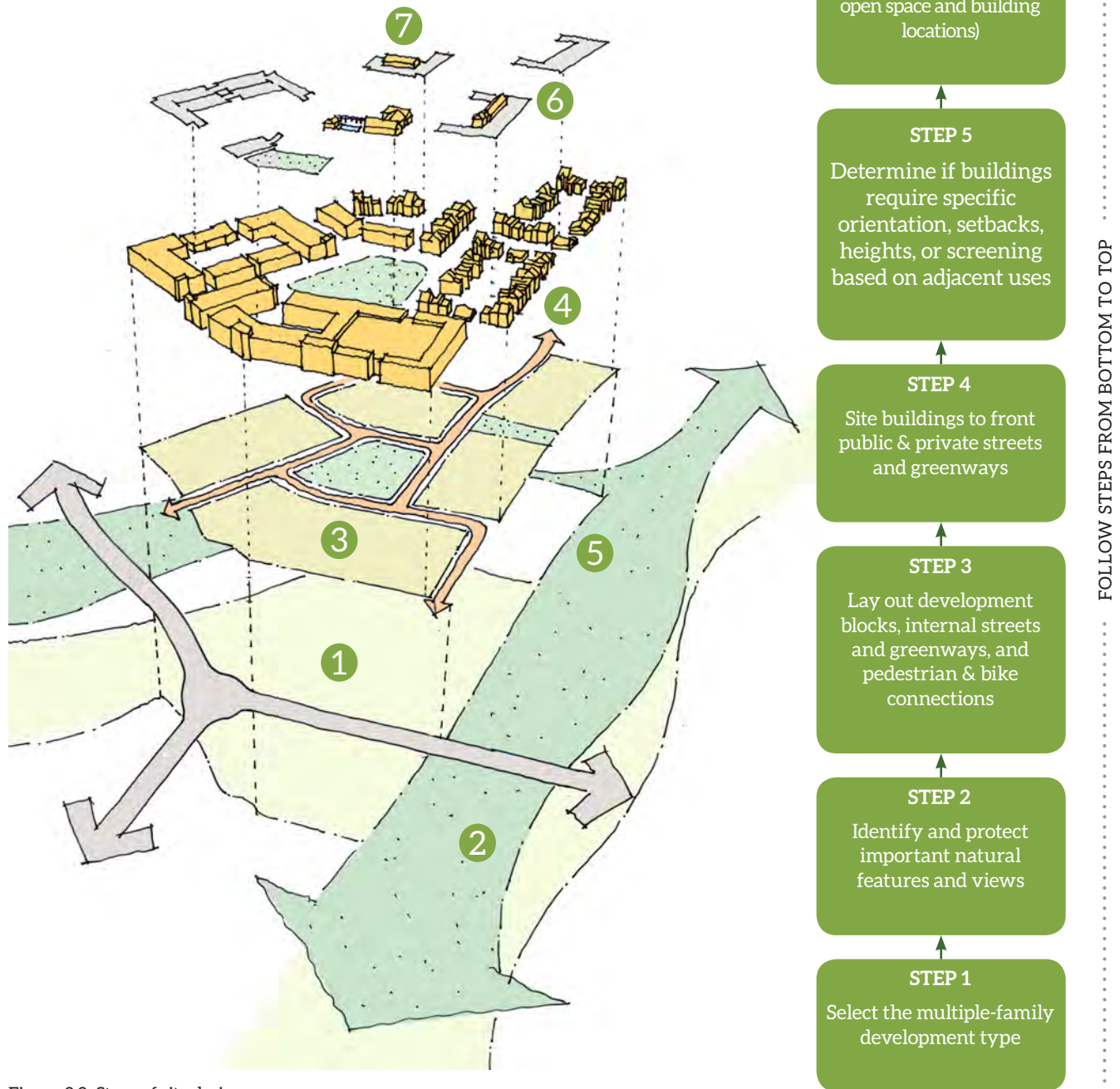


Figure 2.9 Steps of site design process

Multiple-Family Development Typology

Intent:
Provide guidance and clarify which standards throughout the Site Design section apply to specific Development Typologies.

Figure 2.10 illustrates a multiple-family site bounded by an existing public roadway.

Standards:

- A. Using Table 2.2, identify the intended Development Typology and follow corresponding standards for Block Types.

Table 2.2 Development Typologies

If Developing:	Use Block Type:
Multiple-Family Paired Units	Attached/Single-Aspect Block
Multiple-Family Attached Housing	Attached/Single-Aspect Block
Multiple-Family Walk-Up Buildings (Single-Aspect)	Attached/Single-Aspect Block
Multiple-Family Walk-Up Buildings (Double-Aspect)	Double-Aspect Block
Multiple-Family Corridor Buildings	Double-Aspect Block
Multiple-Family Liner Buildings and Garages	Structured Parking Block
Texas Wrap Buildings and Garages	Structured Parking Block
Parking Garages	Structured Parking Block

STEP 1

Select the multiple-family development type

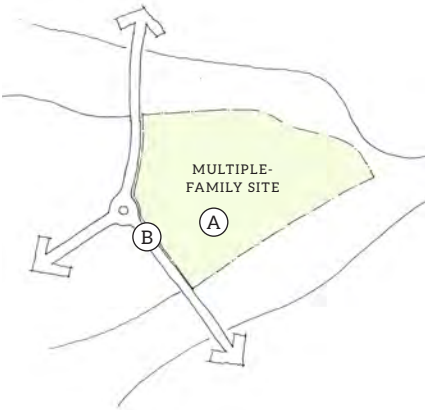


Figure 2.10 Site Boundary Diagram

- (A) MULTIPLE-FAMILY DEVELOPMENT SITE
- (B) EXISTING MAJOR PUBLIC STREETS

Natural Features and Views

Intent:

Ensure the highest value natural features on the site are protected, including but not limited to: tree groves, areas of steep topography, drainageways, and views to the mountains.

Figure 2.11 illustrates how in the second site design step, natural features and views form the organizing framework for the multiple-family development site.

Standards:

- A. Areas of steep slopes (15% or greater, per the LDO) and drainageways on the site shall be protected in publicly accessible open spaces.

Guidelines:

- A. Assess other natural features and design larger open spaces and greenways to take advantage of tree groves, vegetation, views, and other elements.
- B. Locate publicly accessible open spaces with pathways and pedestrian access around these natural elements. Orient the fronts of buildings towards open spaces.

STEP 2

Identify and protect important natural features and views

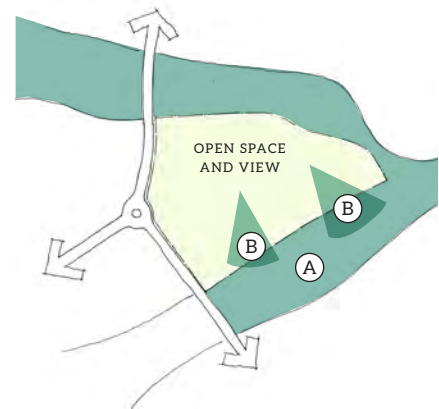


Figure 2.11 Site Features Diagram

- (A) PUBLIC OPEN SPACE OR NATURAL FEATURE
(B) VIEW TO VALUABLE NATURAL FEATURES



Figure 2.12 Natural features create the essential character of Parker.

PRINCIPLES FOR NATURAL FEATURES AND VIEWS

- Natural features and views create the essential character of Parker.
- Protecting these features by creating publicly accessible space around them allows everyone to appreciate them.
- Preserving natural features adds value to multiple-family neighborhoods and adjacent uses.

Pedestrian and Bicycle Connections

Intent:

A safe, integrated pedestrian and bicycle network shall be designed into each multiple-family development to prioritize multi-modal transportation options, to encourage walking and cycling, and to minimize conflict with automobile movement, while promoting inviting and convenient access within and between developments.

Standards:

A. Pedestrian Access in the Public Realm

1. Publicly accessible sidewalks or walkways shall be provided along all Public and Internal Streets.
2. Publicly accessible sidewalks, walkways, or trails shall be provided within all Public and Internal Open Spaces.

B. Pedestrian Access in the Private Realm

1. Sidewalks or walkways shall be provided within blocks for the use of residents to access rear building entries, parking, trash, service, and amenities.

C. Connections to Adjacent Uses

1. Sidewalks or walkways shall be provided to connect to adjacent residential neighborhoods, community open spaces, trail systems, and to commercial uses, where appropriate.

Development Blocks

Public street rights-of-way and public open space always define the edges of blocks and must be fronted by buildings, unless otherwise stated in the Standards. Internal streets and open spaces should be strategically used to break larger sites up to meet the maximum allowable block sizes in *2.4.4.B Block Type* (See Figure 2.13).

A. Block Definition

Intent:

To ensure walkable, pedestrian-friendly, defensible, and dignified neighborhoods with a sense of place, multiple-family development sites must be divided into development blocks.

Standards:

1. Multiple-family development sites shall be divided into blocks.
2. Blocks shall be defined by publicly accessible edges. Each block must be bounded on all sides by one of the following:
 - a. **Public streets** always define the edge of blocks. Buildings shall face public streets, except in some cases of state highways and arterials, where it may be more appropriate for buildings to side to those public streets. For frontage requirements on public streets, reference *2.4.5.C Frontage Requirements* where vehicular access is

STEP 3

Lay out development blocks, internal streets and greenways, and pedestrian & bike connections

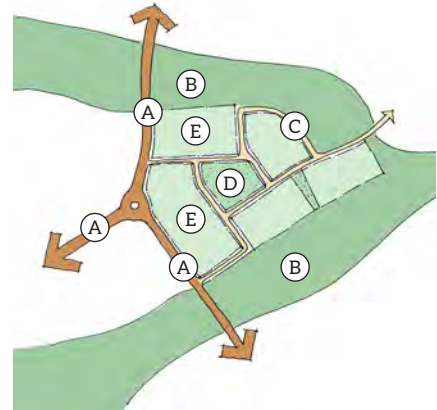


Figure 2.13 Block Frontage Diagram

- (A) PUBLIC STREET
- (B) PUBLIC OPEN SPACE OR NATURAL FEATURE
- (C) INTERNAL STREET
- (D) INTERNAL OPEN SPACE
- (E) BLOCKS

PRINCIPLES FOR DEVELOPMENT BLOCKS

- Blocks form the basic building element of neighborhoods.
- Well-defined blocks differentiate the publicly accessible realm from the private realm.
- Blocks are organized to have public elements fronting outward (front doors, front elevations) and service or private elements in the center/rear (rear elevations, parking, garages, storage, etc.).

located on a public street, access spacing must meet requirements in the *Roadway Design and Construction Criteria Manual*.

- b. **Public greenways or open spaces** always define the edges of blocks. Buildings shall front public greenways and open spaces. For frontage requirements reference 2.4.6.C *Multiple-Family Adjacent to Parks, Open Space, and Stream Corridors*.
- c. **Internal streets** shall be located to define the edges of blocks. Buildings shall front internal streets. Along internal streets, fronts of buildings must face fronts of buildings across the street. For frontage requirements, reference 2.4.5.C.5 *Internal Street (Private Street)*. Internal streets for multiple-family must meet the following criteria:
 - i. Internal streets shall have sidewalks or walkways along both sides of the street.
 - ii. Internal streets shall have street trees or other plantings to create a pedestrian-friendly walking environment.
 - iii. If internal streets include on-street parking, it shall be parallel parking. Internal streets for a multiple-family development shall not include head-in perpendicular or diagonal or angled parking.
 - iv. Internal streets should connect to other streets. If an internal street does not connect, it shall provide a court to allow vehicles to turn around and to provide a visual terminus.
- d. **Internal greenways or open space** shall be located to define the edge of blocks. Along internal open spaces, fronts of buildings must face fronts of buildings across the space. For frontage requirements on internal greenways or open space, reference 2.4.5.C.6 *Open Space*.

Guidelines:

1. Every block should be defined by streets, either public rights-of-way or internal streets, on at least two sides.



Figure 2.14 Example of building frontage along an Internal Street. The buildings are arranged in a block with clearly defined publicly accessible and private realms.

B. Block Type

Intent:

Multiple-family blocks shall be designed and sized for the appropriate building types in order to ensure that developments are walkable and pedestrian friendly. Appropriately-sized blocks should adequately accommodate building frontage around the block perimeter, parking in the center of the block, and open spaces for residents.

1. Attached/Single-Aspect Block

Standards:

- a. For the graphic standards corresponding to *Table 2.3*, please reference *Figure 2.16*.

Table 2.3 Attached/Single-Aspect Block

Criteria	Standard	
	Min.	Max.
A Block Depth (ft.)	220'	240'
B Half-block Depth (ft.)	110'	120'
C Block Length (ft.)	250'	700'
D Block Area (acres)	1.2	3.9
E Distance between buildings	10'	15'

- b. Parking lots, garages, and service shall be located in the interior of the block, an adequate distance away from the rear of buildings.
- c. Podium and tuck-under parking must be located a minimum of 20 feet behind the front facade of any building. The 20 feet in front of the parking shall be usable space.



Figure 2.15 Single-Aspect Walk-Up Building sited on a Single-Aspect Block



Figure 2.16 Attached/Single-Aspect Block

2. Double-Aspect/Corridor Block

Double-Aspect Blocks accommodate buildings with units facing both the street and the parking court in the center of the block.

Standards:

- a. For the graphic standards corresponding to *Table 2.4*, please reference *Figure 2.18*.

Table 2.4 Double-Aspect/Corridor Block

Criteria	Standard	
	Min.	Max.
A Block Depth (ft.)	260'	340'
B Half-block Depth (ft.)	130'	170'
C Block Length (ft.)	320'	640'
D Block Area (acres)	1.9	5.0
E Distance between buildings	12'	20'

- b. Parking lots, garages, and service shall be located in the interior of the block, an adequate distance away from the rear of buildings.
- c. Podium and tuck-under parking must be located a minimum of 20 feet behind the front facade of any building. The 20 feet in front of the parking shall be usable space.



Figure 2.17 Corridor Building sited on a Double-Aspect Block

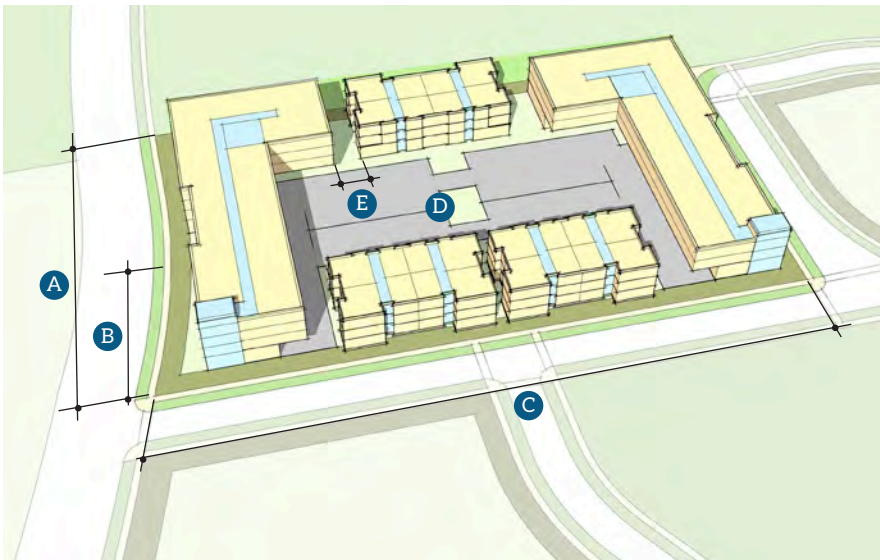


Figure 2.18 Double-Aspect Block

3. Structured Parking Block

Structured Parking Blocks are designed to accommodate development that is integrated with garages. This includes stand-alone garages and wrapped garages.

Standards:

- a. For the graphic standards corresponding to *Table 2.5*, please reference *Figure 2.20*.

Table 2.5 Structured Parking Block

Criteria	Standard	
	Min.	Max.
A Block Depth (ft.)	280'	380'
B Half-block Depth (ft.)	140'	190'
C Block Length (ft.)	320'	640'
D Block Area (acres)	2.1	5.6
E Distance between buildings	12'	30'

- b. Locate free standing garages, surface parking, or integrated garages in the center of blocks, wrapped by either stand-alone buildings or liner buildings attached to the garage.
- c. Minimize the number of units that overlook the parking structure.
- d. Podium and tuck-under parking must be located a minimum of 20 feet behind the front facade of any building. The 20 feet in front of the parking shall be usable space.



Figure 2.19 Liner Building sited on a Structured Parking Block

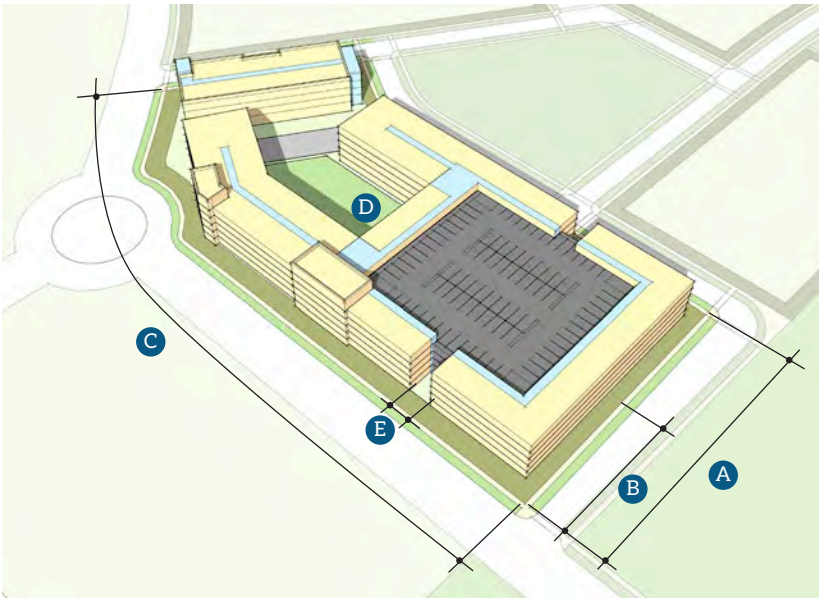


Figure 2.20 Structured Parking Block

4. Composite Blocks

In cases where two different building types with different depths are located on the same block, two half-block depths should be combined to create a Composite Block.

Standards:

- a. For the graphic standards corresponding to *Table 2.6*, please reference *Figure 2.22*.

Table 2.6 Composite Block

Criteria	Standard	
	Min.	Max.
A Block Depth (ft.)	240'	290'
B Half-block Depth (ft.)	Varies	Varies
C Block Length (ft.)	320'	640'
D Block Area (acres)	1.8	4.2
E Distance between buildings	12'	30'

- b. Composite Blocks shall be no deeper than the maximum half-block depths of the two block types that it is composed from.
- c. The length of the combined block type shall comply with either the maximum block length or the maximum block area, whichever is lesser.
- d. Parking lots and/or garages shall be located in the center of the block.
- e. Podium and tuck-under parking must be located a minimum of 20 feet behind the front facade of any building. The 20 feet in front of the parking shall be usable space.



Figure 2.22 Composite Block



Figure 2.21 Attached Houses and Corridor Buildings sited on a Composite Block

Building Orientation

Intent:

Clearly define publicly accessible space from private amenity and service space; create comfortable, walkable streets and shared open spaces, create embedded security by ensuring eyes on the street.

A. Fronts and Backs

Standards:

1. Townhouses, duplexes, and single-aspect walk-ups shall be oriented with the fronts of the buildings along the perimeter of blocks (See *Figure 2.24*).
2. Double-aspect and corridor buildings (where units face both front and back) shall select one side of the building and designate it as the front. Building fronts shall orient to the perimeter of blocks.
3. Fronts of buildings shall have a greater attention to building composition and building elements to dignify the public realm.

B. Building Orientation at Corners

Standards:

1. Building corners that face or front onto public roadways or open space shall provide a higher level of architectural treatment, window fenestration, and massing to provide increased user activity and visual interest at the corner (see *Figure 2.23*).

Guidelines:

There are a variety of ways in which buildings can address corners:

1. Building Forms Corner (see *Figure 2.23*):

Buildings that wrap the corner at street intersections are encouraged to incorporate building cut-outs and plane offsets. The open space created at the back of curb supports increased user activity and landscape interest and the opportunity for residential entry plazas and gathering space.

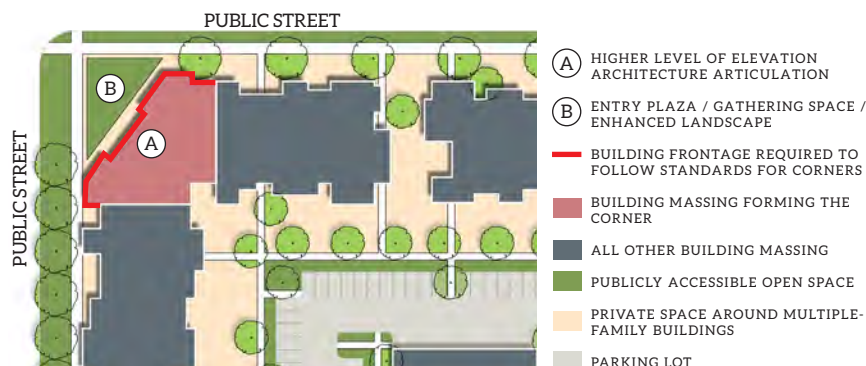


Figure 2.23 Building Forms Corner

STEP 4

Site buildings to front public & private streets and greenways

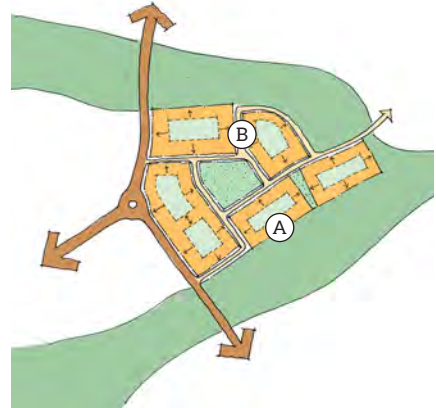


Figure 2.24 Building Orientation and Frontage Diagram

- (A) BLOCKS WITH FRONTAGE TOWARDS STREET AND OPEN SPACES
- (B) INTERNAL STREETS WITH BUILDING FRONTAGE

2. **Articulated Corner Architecture** (see *Figure 2.25*):

Buildings that meet at corner sites help hold and give prominence to two street frontages. This prime exposure warrants the incorporation of finer architectural detail, windows, special features, materials, and building articulation.

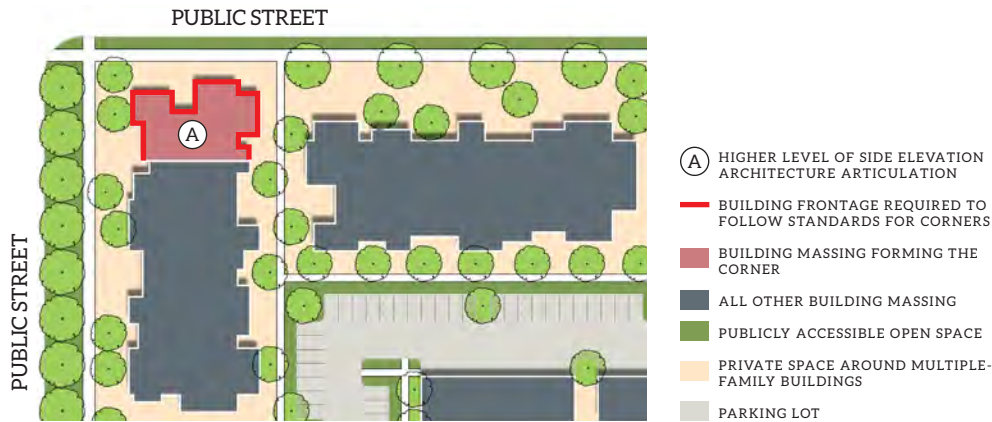


Figure 2.25 Articulated Corner Architecture

3. **Park and Articulated Corner Architecture** (see *Figure 2.26*):

Plazas and courtyards that hold corner edges create strong visual interest through planting intensification, active and passive park space, public art, and pedestrian activity.

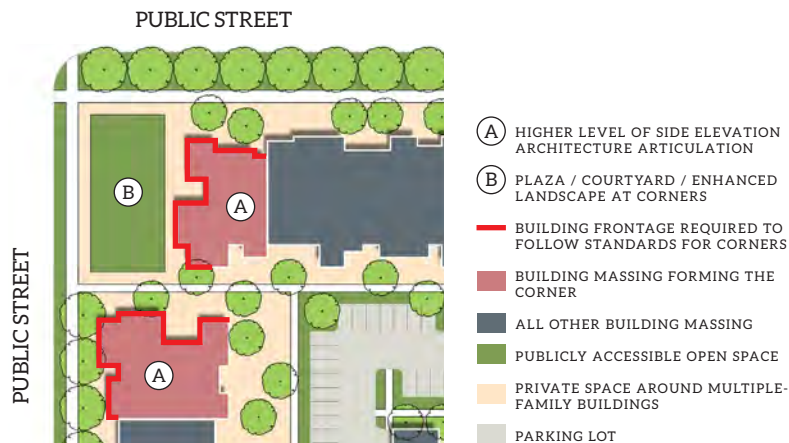


Figure 2.26 Park and Articulated Corner

C. Frontage Requirements

1. State Highway

Parker Road (Highway 83) and E-470 Standards:

- Preferred orientation: multiple-family buildings shall be primarily oriented with the side facade facing the highway.
- Permitted orientation (with additional standards): when a multiple-family building faces the highway, it shall be set back a minimum of 30 feet from the right-of-way to create a significant open space buffer between the units and the highway. This requirement shall be in addition to any buffers required by the LDO and/or *Roadway Design and Construction Criteria Manual*.
- Multiple-family buildings may not back to the highway.
- For developments sited higher than street-level, retaining walls shall be used within the landscape buffer if grades exceed 25% (reference *Figure 2.28* and *Figure 2.29*).



Figure 2.27 Permitted orientation, with a multiple-family building facing a highway, with an additional 30-foot buffer.

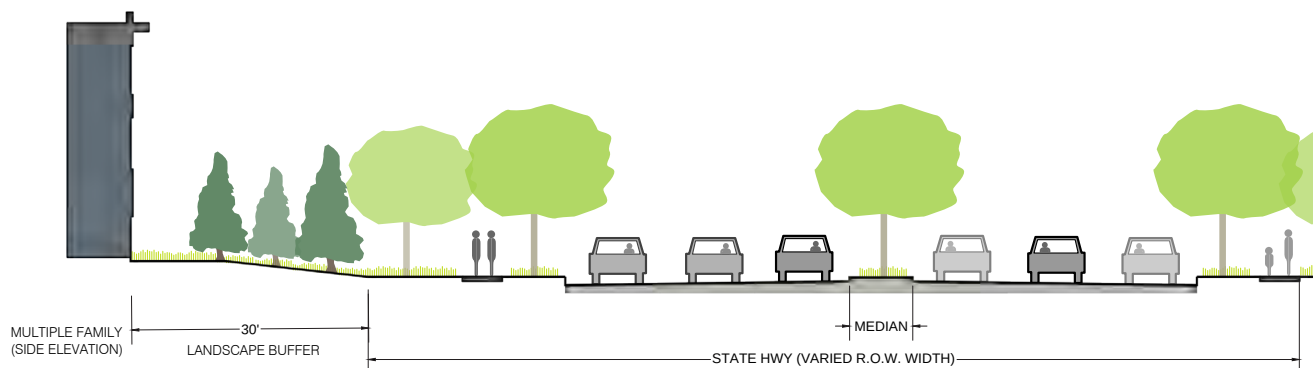


Figure 2.28 State Highway Frontage (condition without grade)

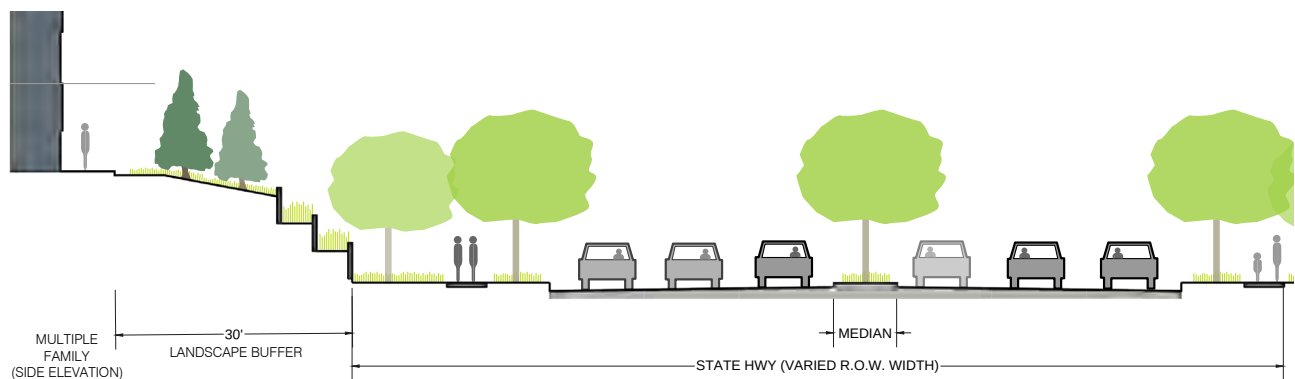


Figure 2.29 State Highway Frontage (condition with grade)

2. Principal Arterial Roadways and Major Collectors (4–6 lanes)

Standards:

- Multiple-family buildings shall front arterials and shall have a minimum 25-foot landscape buffer from the right-of-way (ROW) (see *Figure 2.30*).
- Landscape elements such as plantings and low walls shall be used to separate the units from the street.
- Street trees shall be included in frontage.

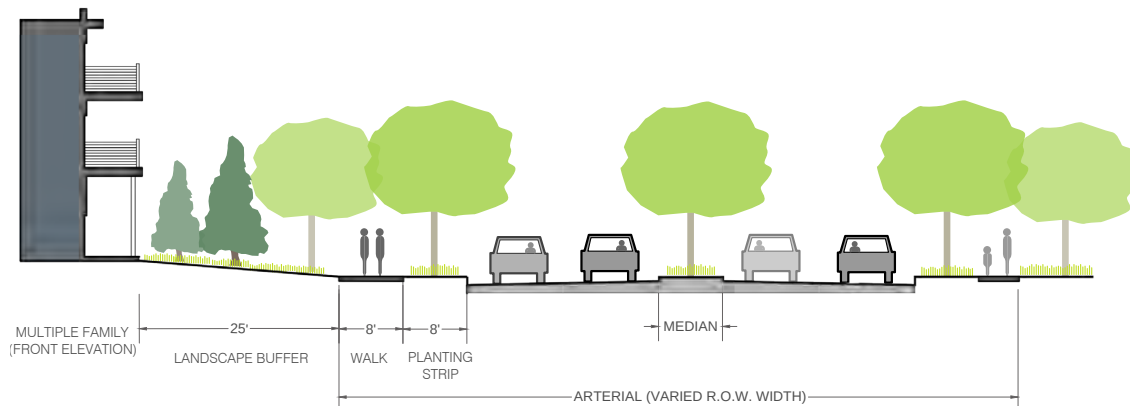


Figure 2.30 Example of arterial frontage

3. Residential Collector Roadways (2 lanes) Standards:

- Multiple-family buildings shall front collectors and shall have a minimum of 15 feet of landscape buffer from the right-of-way (see *Figure 2.31*).
- A minimum 15-foot landscape buffer shall be provided.
- Landscape elements such as plantings and low walls shall be used to separate the units from the street.

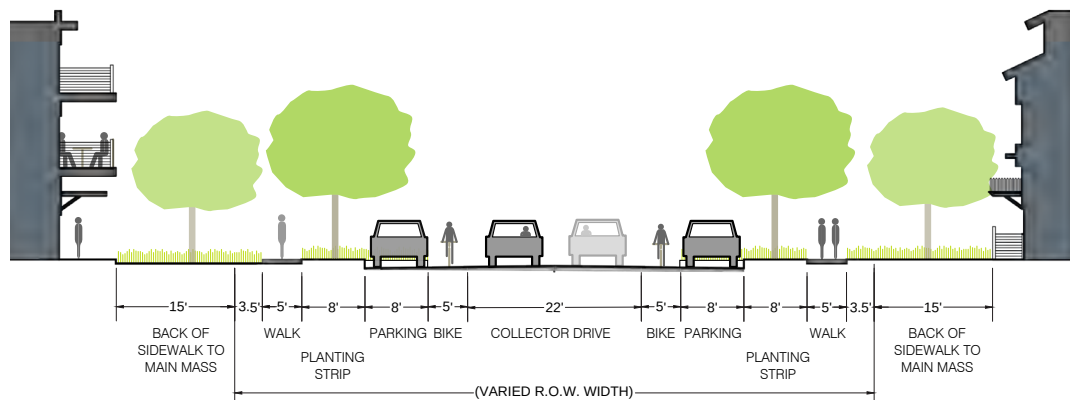
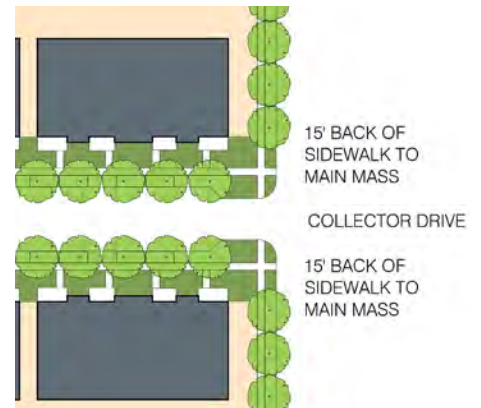


Figure 2.31 Example of collector frontage

4. Old Town Street

Standards:

- a. Multiple-family buildings shall front Old Town Streets.
- b. Building elements, such as balconies and awnings, shall engage the streetscape and pedestrians (reference Section 2.5.5 *Building Elements*).
- c. For more information about the requirements for the design of Old Town Streets, reference the Greater Downtown District Standards and Guidelines.

5. Internal Street (Private Street)

Standards:

- a. Multiple-family buildings shall front internal streets (see *Figure 2.32*).
- b. Buildings that meet at corner sites shall have primary frontage towards the public street and secondary frontage towards the private street (see *Figure 2.32*).
- c. Multiple-family buildings shall front internal streets and shall have a minimum of 20 feet landscape buffer from the right-of-way between the private and public realm.
- d. Multiple-family buildings shall have building elements that engage the public realm (reference Section 2.5.5 *Building Elements*).
- e. There shall be a 15-foot minimum landscape buffer to transition between the private and public realm.
- f. There shall be street trees and low planting along the sidewalk, creating a comfortable experience for pedestrians.

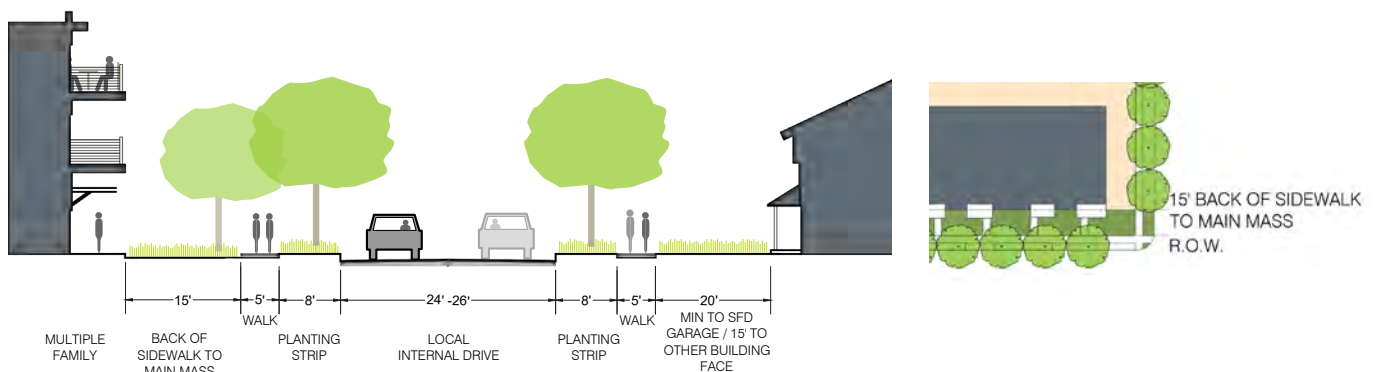


Figure 2.32 Example of internal frontage

6. Internal Open Space

These standards regulate frontages along internal open spaces within a development. For information about how to front open spaces on an adjacent parcel, please reference *2.4.6.C Multiple-Family Adjacent to Parks, Open Space, and Stream Corridors*, and *2.4.6.D Frontage Requirements for Adjacent Uses*.

Standards:

- Multiple-family buildings shall front open space, given that the open space is designed for pedestrian, bicycle, or recreational use (see *Figure 2.33*).
- Any multi-use paths required in the open space shall connect to adjacent trail points.
- The building setbacks shall respect the natural conditions of the open space, such as stream corridors and wetlands.

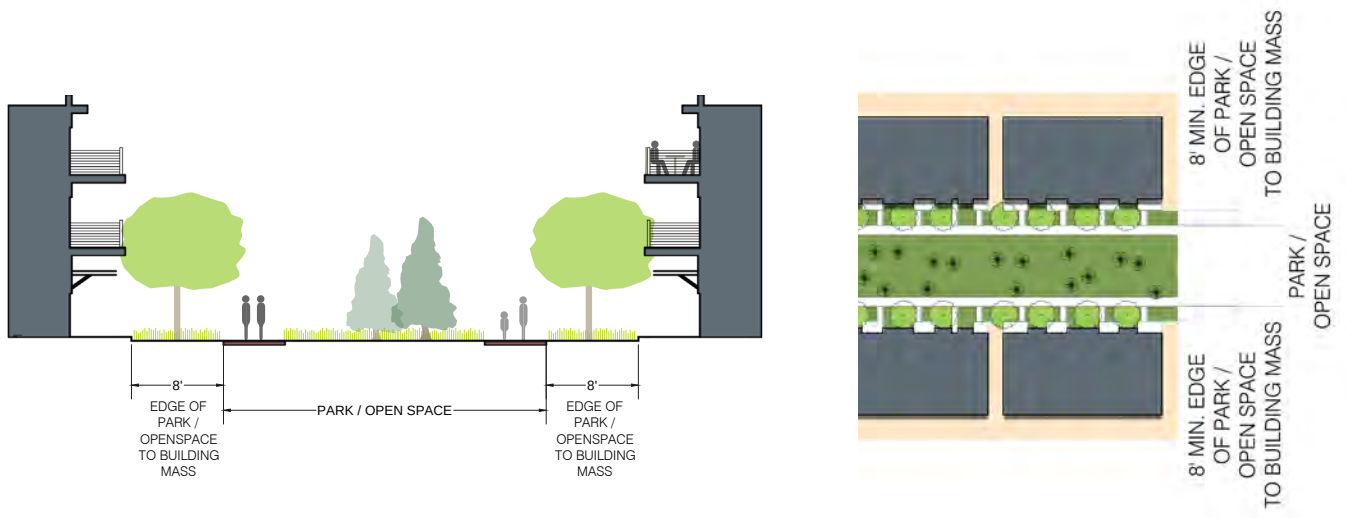


Figure 2.33 Example of internal open space frontage

Sensitivity to Adjacent Uses

A. Multiple-Family Development Adjacent to Single-Family Detached Homes

Homes

The Town of Parker consists of mostly single-family detached housing units. As the Town becomes developed, infill and greenfield locations must be sensitive to adjacent single-family residential neighborhoods and other existing uses.

Intent:

Ensure that infill and greenfield development are appropriately buffered from existing uses.

Standards:

- 1. Multiple-family buildings 3 stories or taller shall be set back a minimum of 40 feet from the adjacent property lines to provide adequate buffering from single-family dwellings (see Table 2.7). Multiple-family buildings 2 1/2 stories or less may be located up to 25 feet away from the property lines shared with adjacent single-family detached neighborhoods (see Figure 2.34).
- 2. Multiple-family buildings shall be oriented perpendicular rather than parallel to existing single-family detached houses (see Figure 2.35).



STEP 5

Determine if buildings require specific orientation, setbacks, heights, or screening based on adjacent uses



Figure 2.34 Multiple-family with perpendicular orientation adjacent to single-family dwelling

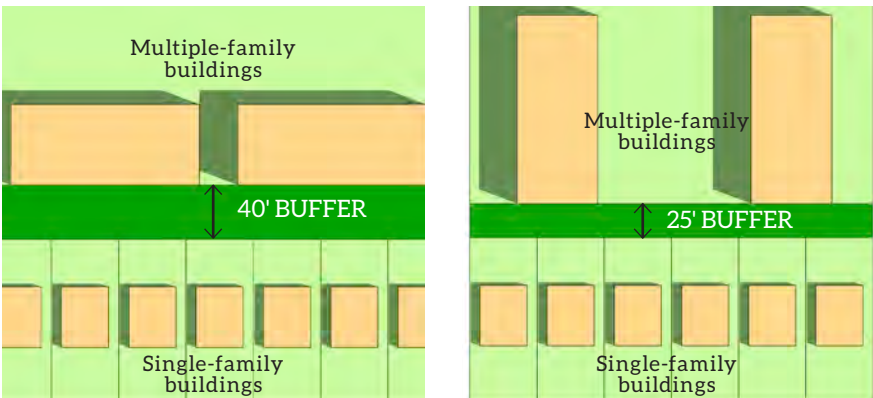


Figure 2.35 Required spacing between multiple-family development and single-family dwellings (front facing and side facing)

Table 2.7 Multiple-Family Adjacency

Use Adjacent to Multiple-Family	Required Buffer
Single-Family Dwelling	40 Feet Front Facing 25 Feet Side Facing
Another Multiple-Family Development	25 Feet*
Commercial/Industrial/Mixed-Use	50 Feet
Parks/Public Open Space	25 Feet

* This distance may be reduced based on the inclusion of design elements, the orientation of existing buildings, and other context factors.

B. Multiple-Family Adjacent to Commercial

Standards

1. Multiple-family buildings adjacent to the rear of commercial buildings shall have a 25-foot landscape buffer from the rear property line of the commercial building (see *Figure 2.36*).

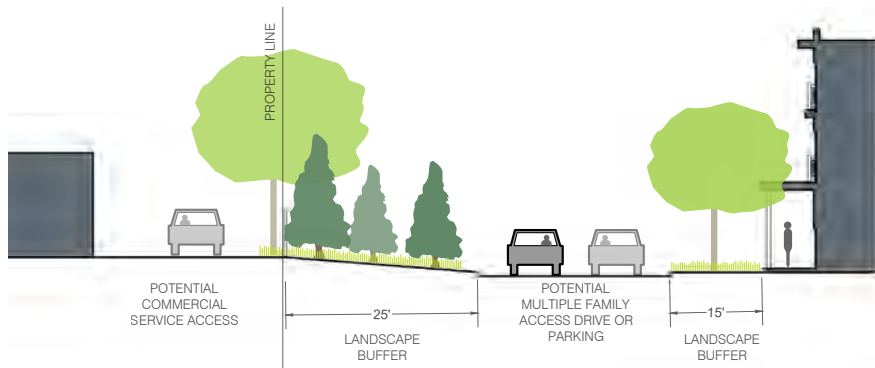


Figure 2.36 Multiple-family adjacent to commercial use

C. Multiple-Family Adjacent to Parks, Open Space, and Stream Corridors

Standards:

1. Multiple-family buildings shall front open space and landscaped areas, given that the space is designed for pedestrian, bicycle, or recreational use (see *Figure 2.37* and *Figure 2.38*).
2. A landscape buffer of a minimum of 20 feet shall be provided where multiple-family parcels abut a public open space.
3. Any multi-use paths required in the open space and landscaped areas shall connect to adjacent trails.
4. The building placement and orientation shall follow the topography of the natural conditions of the open space and landscaped area.

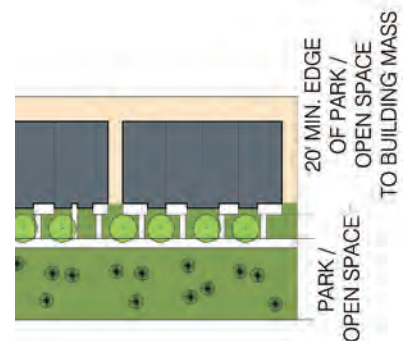
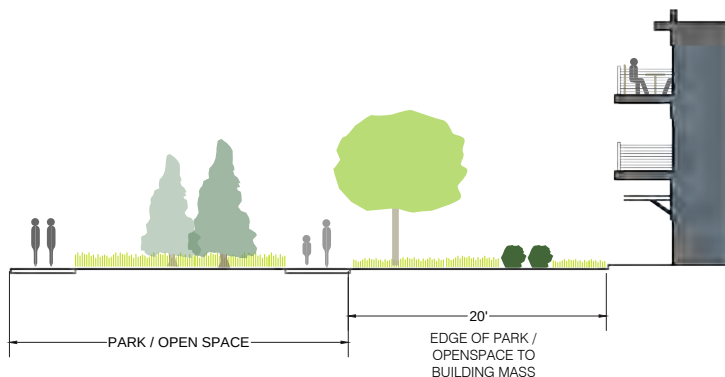


Figure 2.37 Multiple-family adjacent to parks and open space

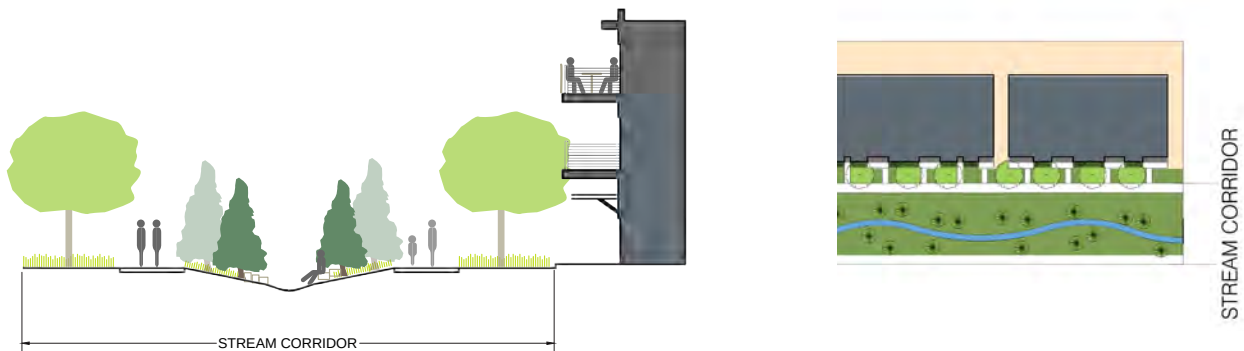


Figure 2.38 Multiple-family adjacent to public stream/creek

D. Frontage Requirements for Adjacent Uses

Standards:

1. Multiple-family buildings shall mirror the condition of existing adjacent developments:
 - a. Fronts of buildings shall face fronts of buildings.
 - b. Rears of buildings shall face rears of buildings.
2. If existing buildings have rears facing public rights-of-way, new multiple-family buildings shall front the public right-of-way, despite the front-to-back relationship.
3. In the case that multiple-family buildings are sited adjacent to public open space, the buildings shall front the open space.
 - a. In certain instances where it is not possible or advisable to front the open space, the applicant shall provide adequate justification and demonstrate how public access will be provided.



Figure 2.39 Multiple-family building fronting open space and landscaped areas.

Access, Circulation, and Parking

Multi-modal access into multiple-family developments and the internal circulation within the site plan must address the treatment of large parking lot areas. Both public and internal streets shall embody the principles of “Complete Streets” as further described in this section.

A. Internal Access

Intent:

Design internal access to be safe and clearly defined, but to remain secondary to internal streets. Accommodate pedestrian and bicycle movement.

Standards:

1. Internal access to multiple-family parcels shall provide visually clear entry points using signage or gateway features into the site from adjacent Public Streets, as illustrated in *Figure 2.40* and *Figure 2.41*.
2. Internal access drives shall balance vehicular, bicycle and pedestrian needs and improve multi-modal connections to RTD bus stops.
3. Internal access drives should provide attractive pedestrian realm and streetscape environments and provide wider landscape entry treatments or be framed by buildings.

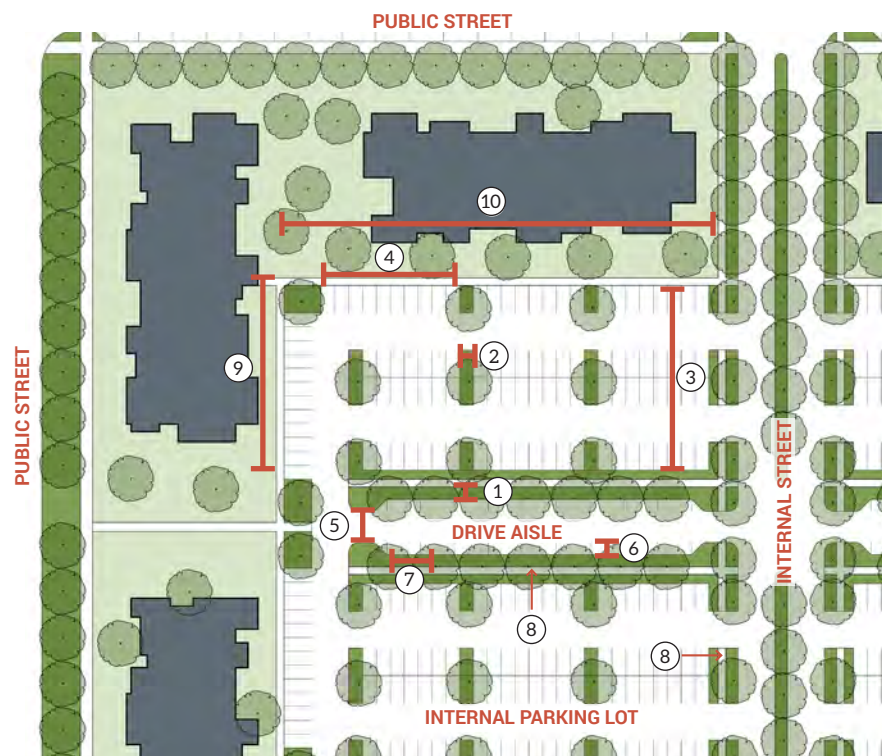


Figure 2.40 Internal Access Siting

STEP 6

Locate parking access & circulation (secondary to open space and building locations)

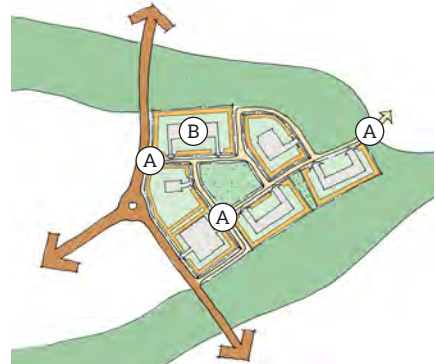


Figure 2.41 Access, Circulation, and Parking Diagram

- (A) INTERNAL STREETS CONNECT TO PUBLIC STREETS AND PROVIDE ACCESS TO PARKING
- (B) PARKING LOTS LOCATED INTERNALLY BEHIND BUILDINGS



Figure 2.42 Internal Street as “Complete Street”

1. Planting Strip Buffer: 8' min. width
2. Planting Aisle Strip: 8' min. width
3. Parking Bays (Reference 1.4 Definitions “Bay of Parking”): 3 double-loaded bays max. Must be separated by drive aisle.
4. Parking Aisle Length: 10 spaces max. Must be separated by planting aisle strip
5. Drive Aisle: 24-26' min. width
6. Parallel Parking: 8' min. width
7. Internal Drive Tree Spacing: 30'-35' on-center (O.C.)
8. Internal Pedestrian Connections: 5' min. detached sidewalk
9. Maximum width 180 feet of internal parking lot
10. Maximum length 270 feet of internal parking lot

B. Internal Private Street Design Standards for Circulation

Intent:

Internal streets are private streets located within a multiple-family parcel that are intended to create the look and feel of a narrow public street by providing a detached sidewalk, street trees, a landscape edge, and parallel parking in some instances.

Standards:

1. Internal Private Street Standards shall include all of the following:
 - a. Drive aisles shall comply with the Land Development Ordinance.
 - b. Parallel parking where allowed or desired along internal streets shall be 8 feet wide.
 - c. A tree lawn of a minimum 8 feet wide shall be located immediately behind the back of curb.
 - d. Approved street trees within the tree lawn spaced at 30 to 35 feet on center.
 - e. A minimum 5-foot wide detached sidewalk shall be located behind the tree lawn.
 - f. Where private drives are adjacent to internal parking lots an additional 8-foot wide landscape buffer strip shall be provided to screen the parking lot areas. See *Figure 2.46*.



Figure 2.43 Parallel parking along internal streets

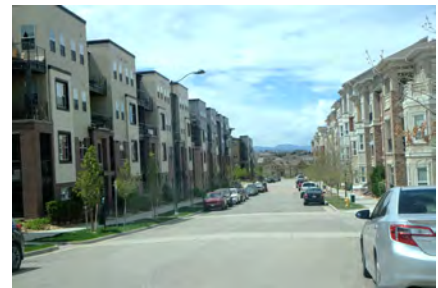


Figure 2.44 Internal street showing 24- to 26-foot drive aisle with tree lawn and sidewalk



Figure 2.45 Landscape buffer screening a parking lot adjacent to a private drive.

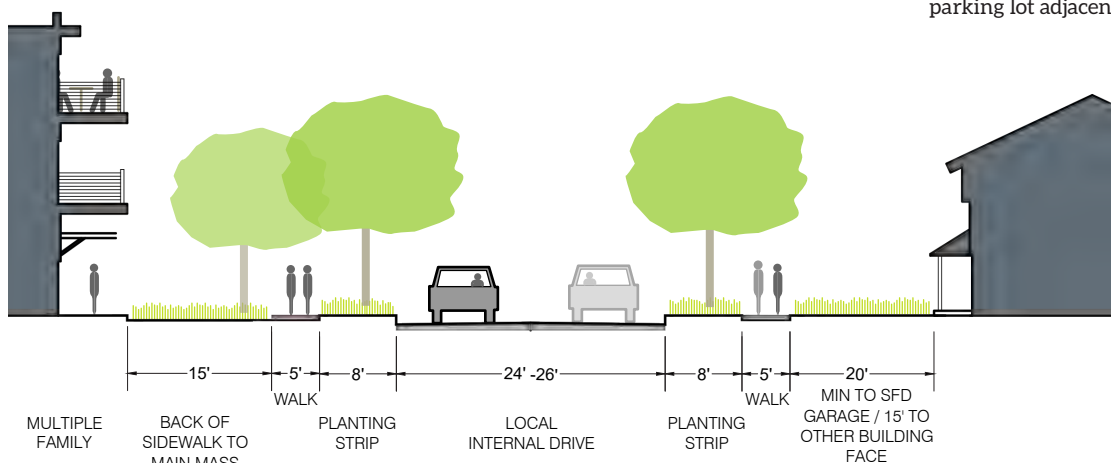


Figure 2.46 Internal street frontage section

C. Parking Lot Design

Intent:

Locate parking lots internal to development blocks, behind building massing to minimize the visibility of parking. Use parking lot landscaping to visually break up larger parking areas and to reduce urban heat island impacts.

Standards:

1. Surface parking areas shall be limited to a maximum width of 3 bays of parking, or 180 feet by 270 feet without being broken up by an Internal Street. See *Figure 2.40 Internal Access Siting*.
2. Planting and screening between parking lot drive aisles and parking bays shall follow the dimensional standards illustrated in *Figure 2.47*.
3. Parking aisle lengths shall not exceed 10 cars in length without being broken by an 8-foot wide minimum planting island.
4. If dictated by grading, existing road conditions, or improved site layout, the Planning Director may approve parking lots visible to the public street face not to exceed 60 feet total along a given street or block frontage. When this condition exists, the parking lot shall be screened with a 3-foot tall landscape hedge or masonry site wall matching the character of the adjacent project architecture.
5. Private parking lots abutting public open space and trails shall not be allowed unless they are 25 feet from the property edge and screened by a minimum 3-foot tall landscape hedge or masonry wall matching the character of the adjacent architecture. An exception may be permitted by the Planning Director if the proposed private parking lot provides public parking spaces. In this case, the public parking spaces may be allowed within the 25-foot buffer zone.

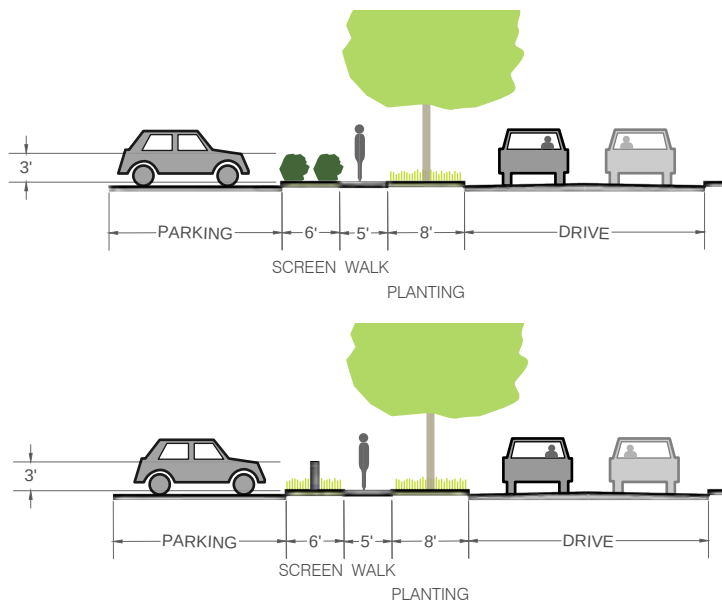


Figure 2.47 Parking lot screening design options



Figure 2.48 Parking aisle broken by 8-foot wide planting island



Figure 2.49 Example of screened parking lot adjacent to right-of-way frontage

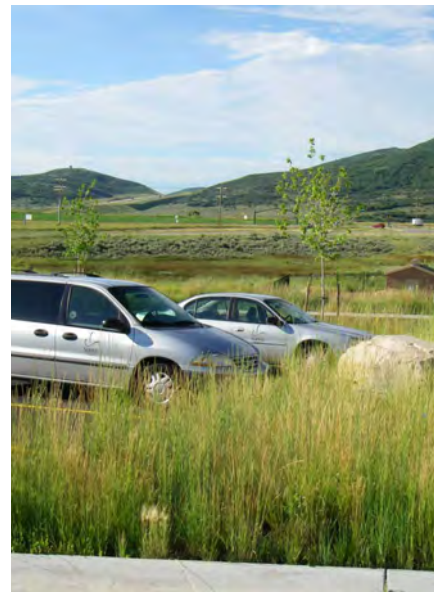


Figure 2.50 Parking lot abutting public open space

Grading and Retaining Walls

A. Grading

Many areas within the Town of Parker consist of a rolling topography. The Town has current grading, drainage, stream protection, erosion control and ridgeline ordinances and regulations in place through the LDO (refer to LDO to address criteria and regulations).

Intent:

Protect the character of the existing terrain, drainage ways, ridgelines and minimize cut-and-fill earthwork.

Standards:

1. Demonstrate that the grading approach minimizes disturbance of the site and grading to the greatest extent possible.
2. Use building form, such as multiple building levels and walkouts, to minimize site grading and to take advantage of existing grades, rather than creating flat pads.

B. Retaining Walls

Intent:

Employ retaining walls to retain topography in tight spaces and/or to maximize buildings and recreational areas while being sensitive to a site's natural topography.

Standards:

1. Retaining walls shall be limited to 4 feet in height and made of stone or split face masonry material that matches or is complimentary to the architecture of the buildings.
2. Where multiple retaining walls are required they shall be terraced with a minimum width of 5 feet of live landscaping and a maximum of 6 inches of sloped vertical elevation change on the terrace area between the walls. Refer to LDO Section 13.10.100 for specific requirements. (See *Figure 2.54*).



Figure 2.54 Retaining wall

STEP 7

Design site elements such as retaining walls, service, and storage



Figure 2.51 Retaining wall



Figure 2.52 Multiple retaining walls with planted terraces



Figure 2.53 Terraced walls

Service and Storage

A. Screening

Intent:

Multiple-family development layout shall minimize the visual and physical presence of service, utility, and storage elements of the community, while providing sufficient and functional service area uses and access.

Standards:

1. Utilize architectural and landscape screening elements to mitigate undesirable utility and service use locations. Landscape screening shall be utilized in conjunction with screen walls to provide varied screening techniques and avoid a hard monotonous treatment.
2. Locate service and utility areas a minimum of 50 feet away from main entry points into buildings and adjacent to streets.
3. Architectural walls and screens shall be consistent with the design and materials of the building to which they are connected, adjacent, or accessory to.
4. Where landscaping is utilized for screening it shall be layered in two rows of plants to screen the undesirable view from the streetscape and adjacent properties.
5. Landscape screening shall incorporate evergreen plant material or deciduous plant material with dense branching habit to provide effective screening during the winter.
6. Plant installation size and spacing shall be sufficient to provide 75% screening of the intended object within 5 years of installation.
7. The periphery of all surface parking lots shall be screened with a hedge of at least 3 feet high, a decorative low 3-foot architectural wall, or a 3-foot high decorative metal screen fence, or combination thereof (See *Figure 2.58* through *Figure 2.60*).

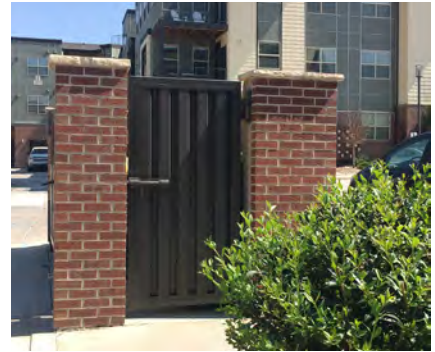


Figure 2.55 Screened outdoor storage



Figure 2.56 Screened outdoor storage



Figure 2.57 Evergreen landscape screening



Figure 2.58 Parking lot landscape screening



Figure 2.59 Parking lot fence screening



Figure 2.60 Architectural screening elements using consistent materials as the building

Utilities

Intent:

Locate service and utility areas away from areas that are visible from the public realm to prevent detracting from the pedestrian-friendly environment of the neighborhood.

Standards:

A. Location of Utilities

1. Locate service and utility areas away from main entries into buildings, public and internal streets, sidewalks, and corners. Planning for location of utilities should be a collaborative process with the utility, the Town, and the developer.
2. Locate utilities in the center of blocks, in the rear or on the side of buildings.
3. All utilities, both free-standing and attached to buildings should be screened by elements like planting or fencing that provides year-round screening. For screening standards, reference *2.4.9.A Screening*.
4. A mixture of shrub, groundcover, turf, and native grass should be used in undulating forms to breakup the long straight line appearance of utility easements where trees are not allowed to be planted.



Figure 2.61 Utilities appropriately located in the rear of buildings away from main entries

How the Site Design Comes Together: Case Study

Defining blocks, orienting buildings to create frontage, locating parking and access in the center of blocks, treating adjacent uses sensitively, grading minimally, and locating storage and service out of sight creates livable, high-quality multiple-family neighborhoods that enhance the character and quality of life in Parker.

The case study shown in *Figure 2.62* through *Figure 2.67* demonstrate how the site design comes together in a multi-block development that achieves the standards. In this case study, the developer plans to build Double-Aspect Walk-Up Buildings.

STEP 1

Multiple-family development type for example Double-Aspect Walk-up Buildings

STEP 2

Identify and protect important natural features and views

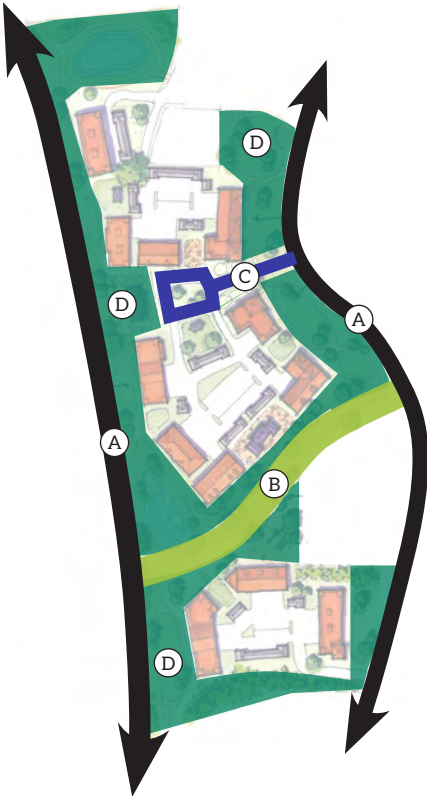


Figure 2.62 Block edges

- (A) PUBLIC STREET
- (B) PUBLIC GREENWAY
- (C) INTERNAL STREET
- (D) PRIVATE OPEN SPACE

STEP 3

Lay out development blocks, internal streets and greenways, and pedestrian & bike connections

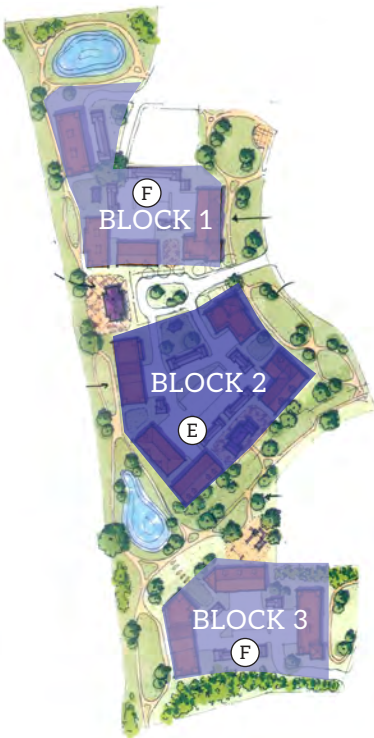


Figure 2.63 Defined blocks

- (E) PARTIAL BLOCKS
- (F) FULL-WRAP BLOCKS

STEP 4

Site buildings to front public & private streets and greenways



Figure 2.64 Building frontage at perimeter

- (G) BUILDING FRONTAGE

STEP 5

Determine if buildings require specific orientation, setbacks, heights, or screening based on adjacent uses



The multiple-family site is bounded by a public street.

The multiple-family site is separated from the adjacent single-family detached houses by a public street. The single-family detached houses have rears that face the public street, with a privacy fence. *Frontage Requirements for Adjacent Uses* states that when adjacent uses are separated by a public street, the new multiple-family buildings shall face the public street, despite the front-to-back relationship.

A public open space greenway runs through the site.

New multiple-family buildings front the public open space.

Figure 2.65 Buildings designed in consideration of adjacent uses

STEP 6

Locate parking access and circulation (secondary to open space and building locations)



Clear entry and access point into the neighborhood.

Internal street follows Internal Street Design Standards, with on-street parking where appropriate, sidewalks, shade street trees, and other required features.

Parking lots located in the rear of the buildings, in the center of blocks.

Parking lot size limited to no more than three bays in width.

Ensure pedestrian and bicycle connectivity between blocks.

Figure 2.66 Site access and parking design

STEP 7

Design site elements such as retaining walls, service, and storage



Trash receptacles, loading docks, and service areas located in the rear of buildings, accessed from internal parking courts

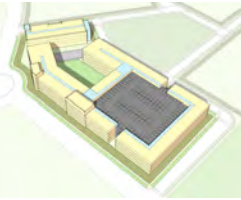
Periphery of parking lot screened where not enclosed by buildings

Outdoor storage screened according to standards

Figure 2.67 Appropriately locate service and utility elements

Table 2.8 below summarizes the four block types and provides an at-a-glance reference for the related standards.

Table 2.8 Summary Block Types Matrix

								
Block Type	Single-Aspect		Double-Aspect		Structured Parking		Composite Block	
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.
Block Depth (ft.)	220'	240'	260'	340'	280'	380'	240'	290'
Half-block Depth (ft.)	110'	120'	130'	170'	140'	190'	Varies	Varies
Block Length (ft.)	250'	700'	320'	640'	320'	640'	320'	640'
Block Area (acres)	1.2 ac.	3.9 ac.	1.9 ac.	5.0 ac.	2.1 ac.	5.6 ac.	1.8 ac.	4.2 ac.
Distance between buildings	10'	15'	12'	20'	12'	30'	12'	30'

Building Design Standards

Parker residents value high-quality building design that fits into and enhances the character of the community. Based on input from the community and key stakeholders, the Standards include requirements for six components of building design:

- Building type
- Variety
- Massing
- Composition
- Building elements
- Material and color palettes

Each of these components is critical to comprehensive, high-quality building design. The Standards require 360-degree architecture, with high-quality materials and design on all sides of a building that are visible from the public realm.

Intent:

Design buildings that are high-quality, well-scaled, appropriate for their contexts, relative to human scale, sustainable, and durable over time. High-quality building design defines the public realm, ensures design variety, and provides visual interest to neighborhoods.

The Building Design standards are organized into the six steps shown in *Figure 2.68* and described throughout this section.



Figure 2.69 Example of a high-quality townhouse development

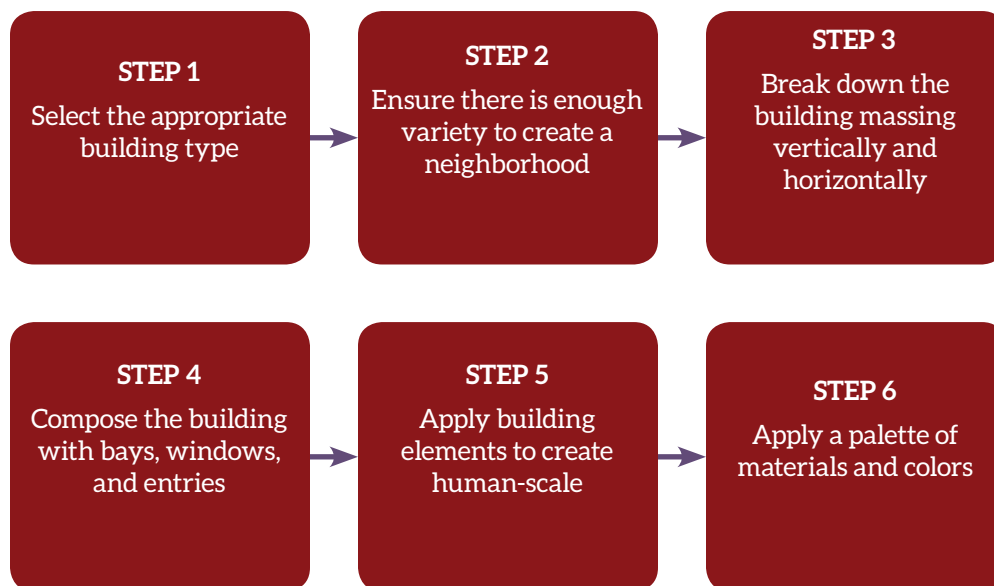


Figure 2.68 Typical Multiple-Family Building Design Process

Building Types

Building types describe dimensional and circulation differences between the way that multiple-family buildings function. Each building type described below has specific standards for the way that frontage and block siting should occur. As building scale increases, strategies for massing and composition and building diversity become more critical in the building design process.

Intent:

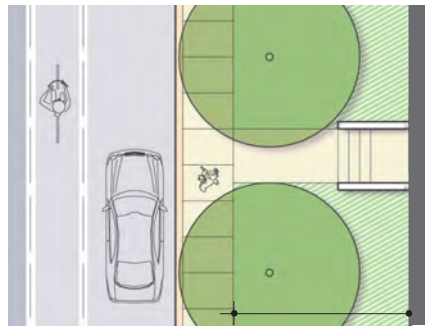
Site and orient buildings to create pedestrian-friendly walkable streets. Dimension buildings to ensure adequate natural light and livable spaces. Design buildings with human-scale building elements in the front to transition between the interior and exterior. Locate service-oriented functions such as parking, in the rear with adequate separation from buildings.

STEP 1

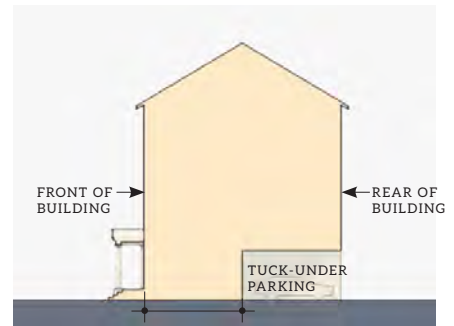
Select the appropriate building type



Distance between front of building and path or sidewalk



Distance between front of building and path or sidewalk



Min. distance between tuck-under parking and front of building

Figure 2.70 Diagrams showing distance between front of the building to path or sidewalk

Figure 2.71 Minimum distance between tuck-under parking and front of building



Figure 2.72 Paired Unit



Figure 2.73 Attached House



Figure 2.74 Walk-Up Multiple-Family Building (Single-Aspect)

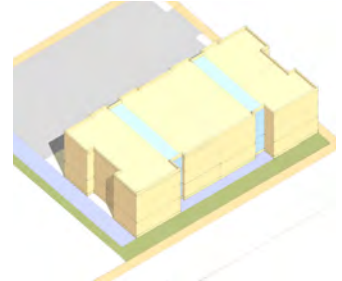


Figure 2.75 Walk-Up Multiple-Family Building (Double-Aspect)

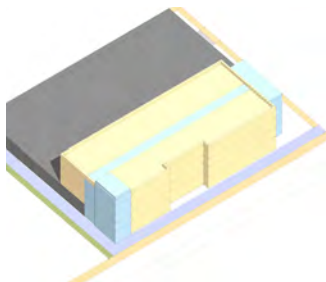


Figure 2.76 Corridor Multiple-Family Building

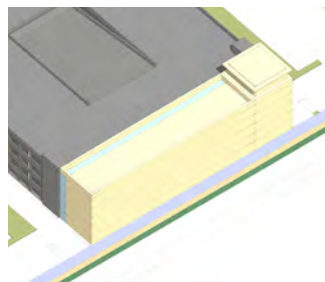


Figure 2.77 Liner Multiple-Family Building

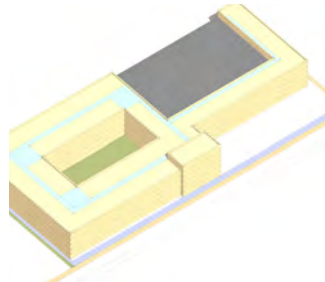


Figure 2.78 Texas Wrap Building

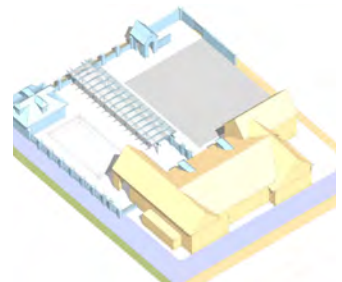


Figure 2.79 Accessory Building/Structure

A. Paired Unit (Duplex, Patio Home)

The Paired Unit is a small building that contains two side-by-side, ground-oriented residential units. Each has its entry on a street or open space. Paired Units may serve active adult markets, with master bedroom suites on the ground floor.

Standards:

1. Paired Units may be developed as part of an ownership development. In this case, the design must follow *13.10.161 Residential Design Minimums*.
2. If Paired Units are developed as part of a multiple-family development, the design shall comply with the standards below:

Table 2.10 Paired Unit Requirements

Building Requirements		
A	Building Length (feet)	18 to 32 (per unit)
B	Building Depth (feet)	30 to 60
Frontage Requirements (From Internal Streets and Open Spaces)		
C	Entrance access	Front or Side
D	Required distance between front of building and path or sidewalk (feet)	10 to 15
E	Required distance between rear of building and path/sidewalk or detached parking (feet)	15 minimum
F	Required distance between tuck-under garage parking and front of building (feet) (See Figure 2.71)	20 minimum
G	Required distance between garage door and drive aisle/alley (feet)	Less than 5 feet or greater than 18 feet
H	Projection of Building Elements into the distance between the front of building and sidewalk (feet)	8 maximum
Circulation (Individual, Core, or Corridor)		Individual
Types of streets appropriate on		Local Collector, Old Town Street, Internal Street, Open Space

ALTERNATE NAMES

- Attached Patio Home, Duplexes, Paired Home



Figure 2.80 Example of Paired Units

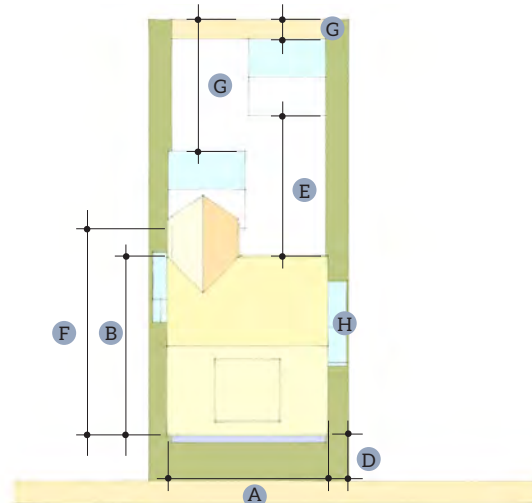


Figure 2.81 Example of Paired Units

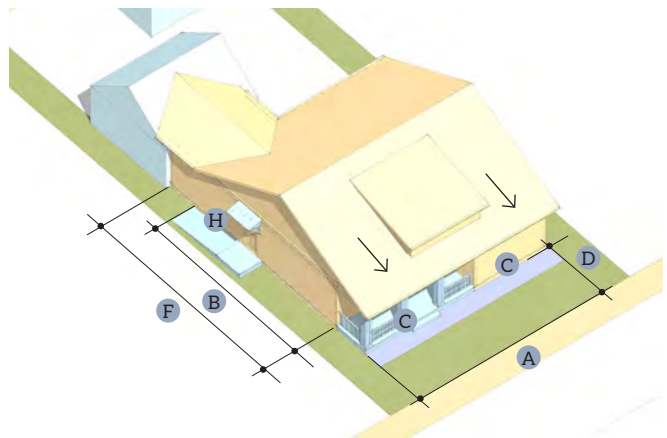


Figure 2.82 Example of Paired Units

B. Attached House

Attached Houses include townhouses, row houses, and brownstones. Typical attached houses are ground oriented (not stacked), and each unit has an entry on a street or open space. Attached house buildings include three to seven units. Tuck-under townhouses have parking under the rear of the main body massing. Stacked townhouses include a townhouse on top of a ground floor unit.

Standards:

Table 2.11 Attached House Requirements

Building Requirements	
A Building Length (feet)	16 to 28 (per unit)
B Building Depth (feet)	30 to 44
Frontage Requirements (From Internal Streets and Open Spaces)	
C Entrance access	Front-Only
D Required distance between front of building and path or sidewalk (feet)	10 to 15
E Required distance between rear of building and path/sidewalk or detached parking (feet)	15 minimum
F Required distance between tuck-under garage parking and front of building (feet) (See Figure 2.71)	20 minimum
G Required distance between garage door and drive aisle/alley (feet)	Less than 5 feet or greater than 18 feet
H Projection of Building Elements into the distance between the front of building and sidewalk (feet)	8 maximum
Circulation (Individual, Core, or Corridor)	Individual
Types of streets appropriate on	Arterial, Major Collector, Collector, Local, Old Town Street, Internal Street, Open Space

ALTERNATE NAMES

- Townhouse or Townhome
- Rowhouse or Rowhome
- Greystone
- Brownstone



Figure 2.83 Example of Attached House

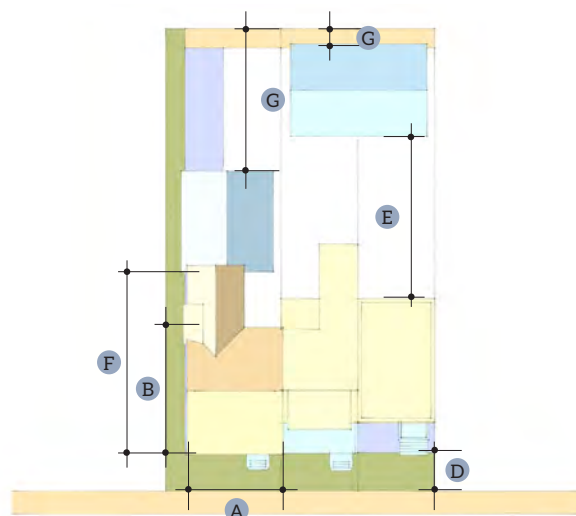


Figure 2.84 Example of Attached House lot

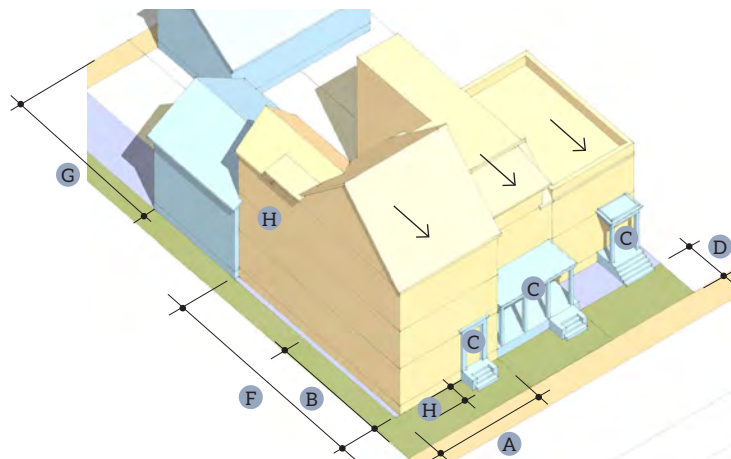


Figure 2.85 Example of Attached House main body

C. Walk-Up Multiple-family Building (Single-Aspect)

Walk-Up Multiple-Family Buildings contain residential units that share common circulation cores (each typically serving 2 units per floor). Single-aspect walk-up buildings are one-unit deep, with defined fronts and backs. The cores extend through the building and have entries in both the front and rear.

Standards:

Table 2.12 Walk-Up Multiple-Family Building Requirements

Building Requirements	
A Building Length (feet)	50 to 150
B Building Depth (feet)	30 to 54
Frontage Requirements (From Internal Streets and Open Spaces)	
C Entrance access	Front and Rear
D Required distance between front of building and path or sidewalk (feet)	10 to 15
E Required distance between rear of building and path/sidewalk or detached parking (feet)	15 minimum
F Required distance between tuck-under garage parking and front of building (feet) (See Figure 2.71)	20 minimum
G Projection of Building Elements into the distance between the front of building and sidewalk (feet)	8 maximum
H Circulation (Individual, Core, or Corridor)	Core
Types of streets appropriate on	Arterial, Major Collector, Collector, Local, Old Town Street, Internal Street, Open Space

ALTERNATE NAMES

- Garden Apartment



Figure 2.86 Example of Walk-Up Multiple-Family building

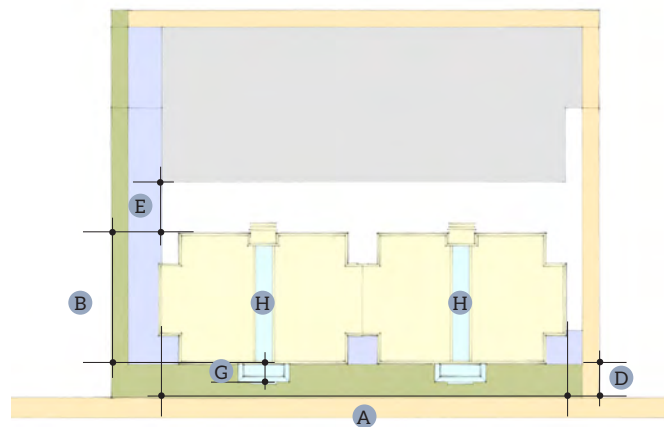


Figure 2.87 Example of Single-Aspect Walk-Up Multiple-Family Building



Figure 2.88 Example of Single-Aspect Walk-Up Multiple-Family Building

D. Walk-Up Multiple-Family Building (Double-Aspect)

Double-aspect Walk-Up Multiple-Family Buildings contain residential units that share common circulation cores (each typically serving 4 units per floor). Single-aspect walk-up buildings are two-units deep. Units face the front and rear of the building, so a front side must be selected for block layout. The cores extend through the building and have entries in both the front and rear.

Standards:

Table 2.13 Walk-Up Multiple-Family Building Requirements

Building Requirements	
A Building Length (feet)	48 to 250
B Building Depth (feet)	55 to 60
Frontage Requirements (From Internal Streets and Open Spaces)	
C Entrance access	Front and Rear
D Required distance between front of building and path or sidewalk (feet)	10 to 20
E Required distance between rear of building and path/sidewalk or detached parking (feet)	20 minimum
F Required distance between integrated garage parking and front of building (feet) (See Figure 2.71)	20 minimum
G Projection of Building Elements into the distance between the front of building and sidewalk (feet)	8 maximum
H Circulation (Individual, Core, or Corridor)	Core
Types of streets appropriate on	Principal Arterial, Arterial, Major Collector, Collector, Local, Old Town Street, Internal Street, Open Space

ALTERNATE NAMES

- Garden Apartment



Figure 2.89 Example of Walk-Up Multiple-Family Building

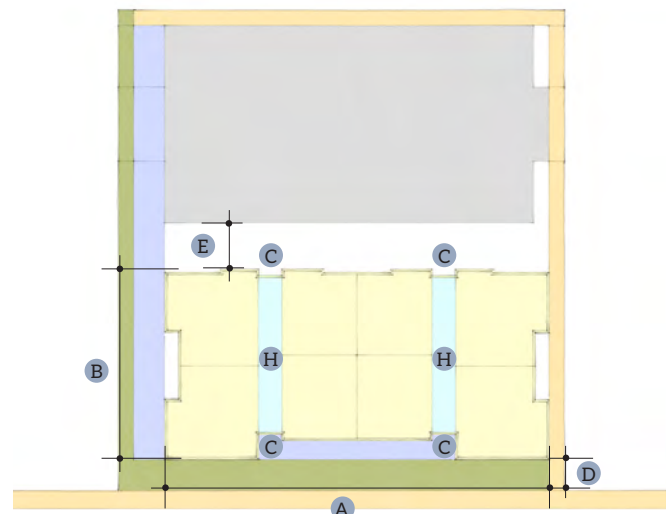


Figure 2.90 Example of Double-Aspect Walk-Up Multiple-Family Building

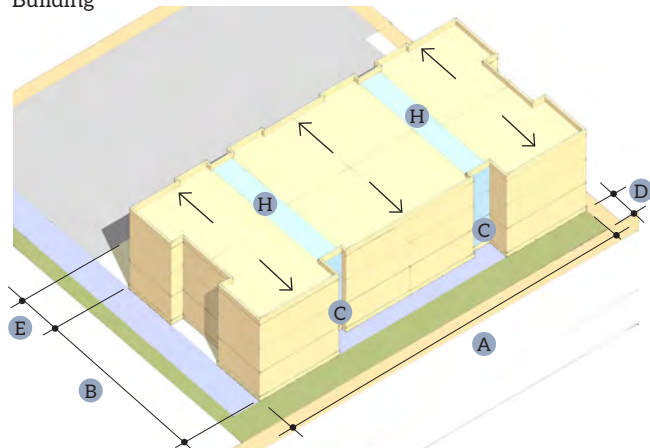


Figure 2.91 Example of Double-Aspect Walk-Up Multiple-Family Building

E. Corridor Multiple-Family Building

Corridor Multiple-Family Buildings are served by a central corridor, typically with vertical circulation at either end. Corridor Buildings have units that face the front and rear of the building, so a front side must be selected for block layout. Corridor Buildings may have units on the ground floor, or they may have non-residential uses or an integrated parking structure on the ground floor.

Standards:

Table 2.14 Corridor Multiple-Family Building Requirements

Building Requirements	
A Building Length (feet)	80 to 250
B Building Depth (feet)	60 to 80
Frontage Requirements (From Internal Streets and Open Spaces)	
C Entrance access	Front and Rear
D Required distance between front of building and path or sidewalk (feet)	10 to 20
E Required distance between rear of building and path/sidewalk or detached parking (feet)	20 minimum for Double-Corridor Building
F Required distance between integrated garage parking and front of building (feet) (See Figure 2.71)	20 minimum
G Projection of Building Elements into the distance between the front of building and sidewalk (feet)	8 maximum
H Circulation (Individual, Core, or Corridor)	Corridor
Types of streets appropriate on	Principal Arterial, Arterial, Major Collector, Collector, Local, Old Town Street, Internal Street, Open Space

ALTERNATE NAMES

- Double-loaded Corridor Apartment
- Double-loaded Corridor Tuck Under Apartment
- Double-loaded Corridor Podium Building

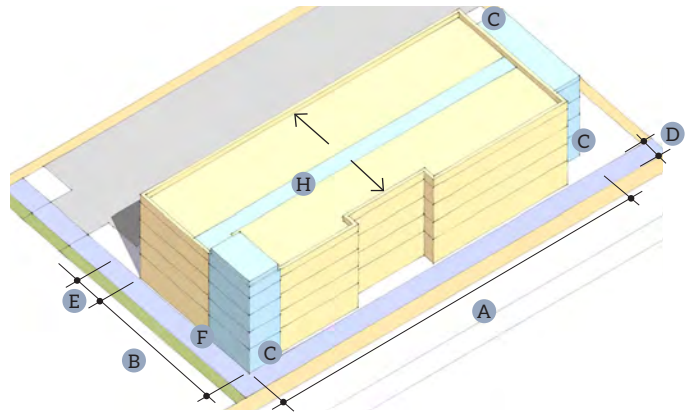


Figure 2.92 Example of Corridor Multiple-Family Building

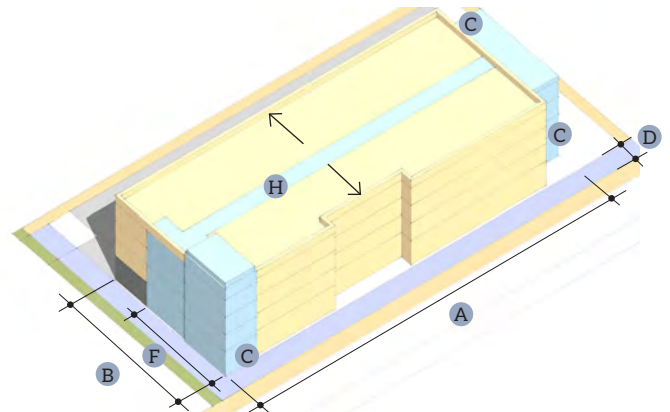


Figure 2.93 Example of Corridor Tuck Under Multiple-Family Building

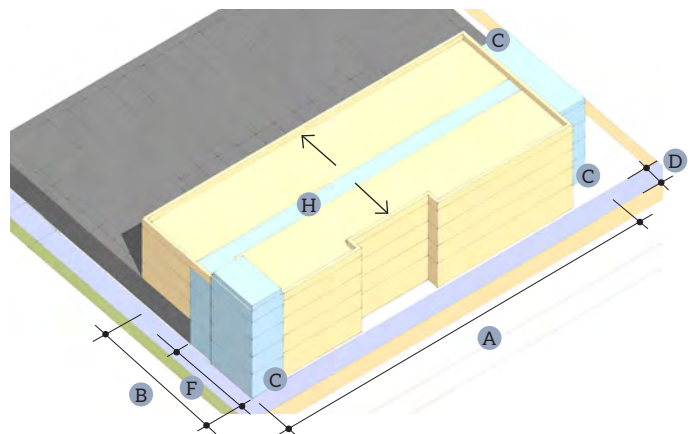


Figure 2.94 Example of Corridor Podium Multiple-Family Building

F. Liner Multiple-Family Building

Liner Buildings create active use frontage along structured parking garages. Liner Buildings are one-unit deep, with a clear front. Ground floor units may have separate entrances, while upper floor units are accessed by a common lobby, vertical circulation, and a corridor located between the building and the garage.

Standards:

Table 2.15 Liner Multiple-Family Building Requirements

Building Requirements	
A Building Length (feet)	80 to 250
B Building Depth (feet)	33 to 45
Frontage Requirements (From Internal Streets and Open Spaces)	
C Entrance access	Front Only
D Required distance between front of building and path or sidewalk (feet)	10 to 20
E Required distance between rear of building and path/sidewalk or detached parking (feet)	N/A
F Required distance between integrated garage parking and front of building (feet) (See Figure 2.71)	33 minimum
G Projection of Building Elements into the distance between the front of building and sidewalk (feet)	8 maximum
H Circulation (Individual, Core, or Corridor)	Individual or Corridor
Types of streets appropriate on	Principal Arterial, Arterial, Major Collector, Collector, Local, Old Town Street, Internal Street, Open Space



Figure 2.95 Example of Liner Multiple-Family Building



Figure 2.96 Example of Liner Corridor Multiple-Family Building

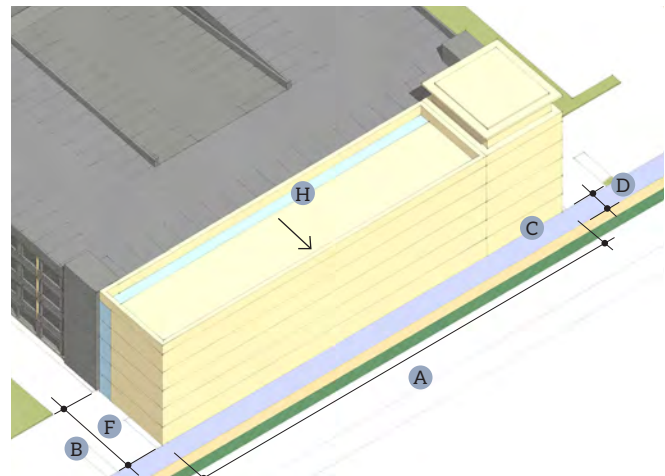


Figure 2.97 Example of Liner Corridor Multiple-Family Building

G. Texas Wrap Building

The Texas Wrap Building combines Corridor and Liner Multiple-Family Buildings, wrapped around a single garage. This building type efficiently serves a large number of units through connected corridors.

Standards:

Table 2.16 Texas Wrap Building Requirements

Building Requirements		
A	Building Length (feet)	80 to 150
B	Building Depth (feet)	33 to 65
Frontage Requirements (From Internal Streets and Open Spaces)		
C	Entrance access	Front and Rear
D	Required distance between front of building and path or sidewalk (feet)	10 to 20
E	Required distance between rear of building and path/sidewalk or detached parking (feet)	N/A
F	Required distance between integrated garage parking and front of building (feet) (See Figure 2.71)	20 minimum
G	Projection of Building Elements into the distance between the front of building and sidewalk (feet)	8 maximum
H	Circulation (Individual, Core, or Corridor)	Corridor
Types of streets appropriate on		Principal Arterial, Arterial, Major Collector, Collector, Local, Old Town Street, Internal Street, Open Space

ALTERNATE NAMES

- Texas Doughnut Building
- Liner Wrapped Building
- Wrap Style Building
- Wrapped Podium



Figure 2.98 Example of a Texas Wrap Corridor Multiple-Family Building

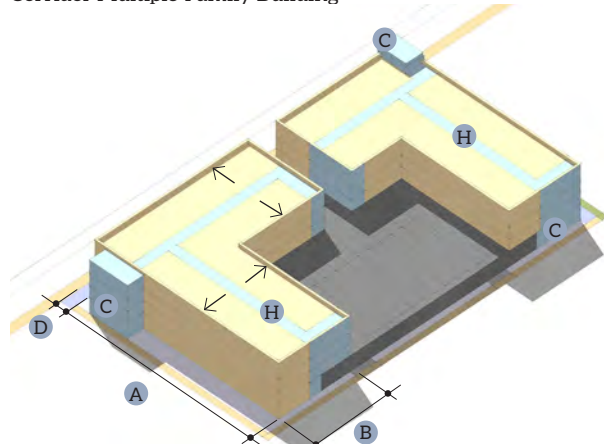


Figure 2.99 Example of a Wrapped Podium Building

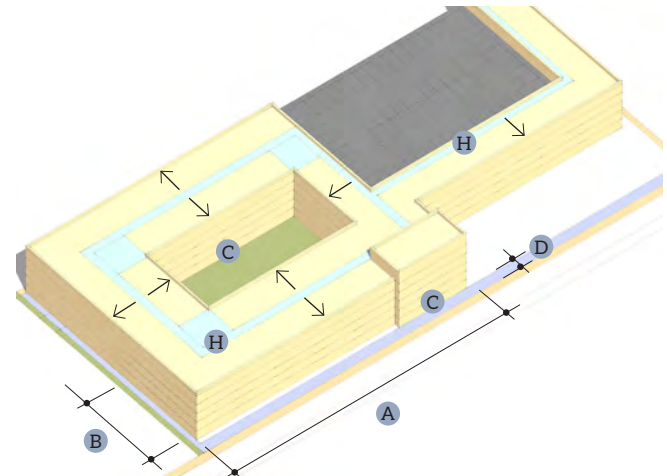


Figure 2.100 Example of a Texas Wrap Building

H. Parking Garages*

Structured parking, when visible, should be an attractive architectural element in the community. The standards below apply to multiple-family, commercial, industrial, and mixed-use developments.

Intent:

Minimize the visual impact of parking on the pedestrian experience and the street environment; create visually interesting facades; create facades compatible in character with adjoining buildings and spaces; and reduce visual impact of headlights and light emanating from parking structures.

Standards:

1. Parking garages seen from the street, open space or adjacent property shall be designed to complement the design character of buildings integrated with the garage, or of adjacent architecture.
2. Parking garage facades fronting streets, open spaces, or adjacent properties shall include architectural elements that relate to human scale, such as bay expression, fenestration, changes in plane of walls, changes in materials or color, architectural details, signage, or art.
3. Sloped ramps shall not be permitted on facades fronting a right-of-way, plaza, or open space.
4. Parking garages shall be wrapped on all sides visible by the public. Planning Director may waive the following criteria:
 - Lot size
 - Lot shape, topography or other constraints
5. Entire sides of substantial lengths of the garage designed to be open with no fenestration are prohibited.
6. Long lengths of openings that do not replicate a window or storefront pattern are prohibited.
7. Vehicles shall not be visible from streets, sidewalks, or public rights-of-way.
8. Parking structures shall screen all head-in parking with a continuous wall no less than 42 inches high in front of vehicles, constructed of materials of equivalent quality to the facades of adjacent buildings.
9. Garage structures three levels or taller shall incorporate retail or other uses at the ground level or accommodate taller ceiling heights to allow for conversion in the future.
10. There shall be architectural articulation on all sides of the parking structure visible from public rights-of-ways, with architectural materials other than precast concrete or block; articulation shall extend at least 6 inches from the structure.

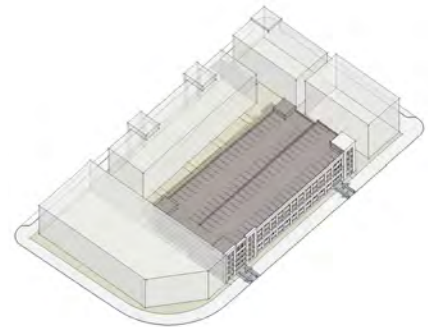


Figure 2.101 Example of stand-alone parking structure, wrapped by building

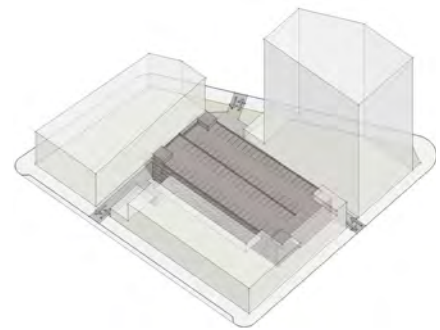


Figure 2.102 Example of parking structure integrated with liner buildings

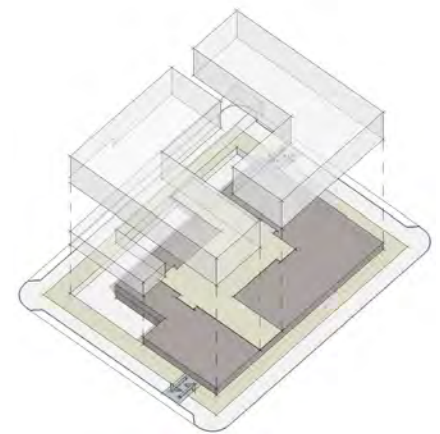


Figure 2.103 Example of a podium/basement parking structure with buildings above

* Credit: Parking Garage Standards developed by Kimley-Horn. For parking structures in the Downtown area, please refer back to the Greater Downtown District Design Standards.

I. Accessory Buildings/Structures

Accessory Structures accommodate uses other than primary use within a multiple-family development, providing either amenities or utility for the residents. For the purposes of this document, there are two types — functional and amenity.

1. Functional Building

Functional Buildings include garages and carports, mail structures, as well as storage for mechanical systems or belongings.

Table 2.17 Functional Building Requirements

Building Requirements	
A Building Length (feet)	12 to 120 (maximum 5 double garages in a row)
B Building Depth (feet)	20 to 45
Frontage Requirements (From Internal Streets and Open Spaces)	
C Required distance between rear of building and drive aisle (feet)	5 minimum, 18 maximum
Types of streets appropriate on	Collector, Local, Internal Street, Parking Lot Drive Aisle

Standards:

- Minimize the visibility of Functional Buildings through appropriate siting in the center of blocks.
- If Functional Buildings are visible from streets or open spaces and are not obscured by other multiple-family buildings, they shall be screened by adequate landscaping, walls, or fencing, according to the standards in *2.4.9.A Screening*.
- Provide adequate access to Functional Buildings, while not highlighting or elevating their importance.
- Functional Buildings may be permitted along a single side of a block, only under the condition that they do not face public streets or important, highly-visible internal streets or open spaces. Garage doors or service entrances may not face perimeters of blocks.

ALTERNATE NAMES

- Carport
- Garage
- Bike Barn
- Storage Shed
- Pool Equipment Building
- Mail Structure



Figure 2.104 Example of a mail structure



Figure 2.105 Example of garages

2. Amenity Building

Amenity Buildings house active uses, including accessory living, recreation, or gathering space for residents. Stand-alone carriage houses, club houses, pool houses, and fitness centers are examples of amenity buildings.

Standards:

Table 2.18 Amenity Building Requirements

Building Requirements	
A Main Building Width (feet)	N/A
B Main Building Depth (feet)	N/A
Frontage Requirements (From Internal Streets and Open Spaces)	
C Entrance access	Front, Side, and Rear
D Required distance between front of building and path or sidewalk (feet)	10 to 15
E Required distance between rear of building and path/sidewalk or detached parking (feet)	10 minimum
F Projection of Building Elements into the distance between the front of building and sidewalk (feet)	8 maximum
Circulation (Individual, Core, or Corridor)	Individual
Types of streets appropriate on	Principal Arterial, Arterial, Major Collector, Collector, Local, Old Town Street, Internal Street, Open Space

- a. Locate Amenity Buildings to be accessible to the whole development by internal streets and/or publicly accessible open space.
- b. Design Amenity Buildings that have high-quality building elements to connect to the public realm and create an approachable, human scale.
- c. Elevate the level of design, finish, and materials to match the civic nature of the building's use.

Guidelines:

- a. Amenity Buildings should take design cues from the residential buildings which they are accessory.
- b. Facades of Amenity Buildings facing public streets or that are highly visible in the development shall have a higher percentage of transparency and articulation than other facades.

ALTERNATE USES

- Club House
- Carriage House
- Pool Building



Figure 2.106 Example of club house Amenity Building

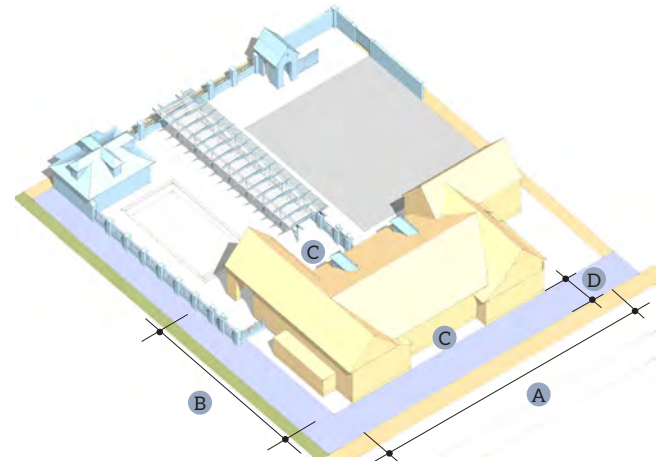


Figure 2.107 Example of Club House Amenity Building

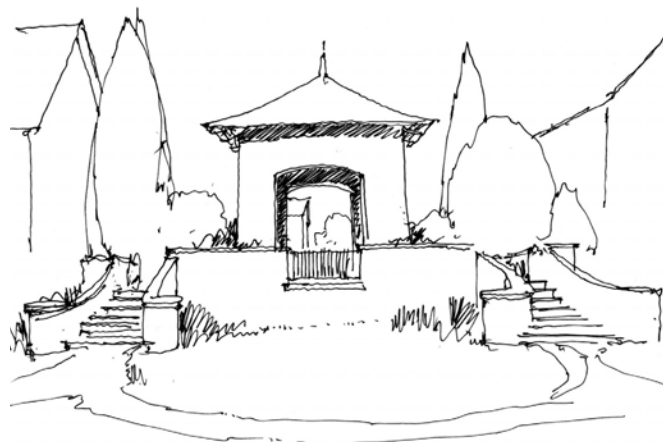


Figure 2.108 Example of an Amenity Building as a focal point

Building Design Variety

Residential neighborhoods require architectural variety to make them enjoyable, interesting environments. Even in neighborhoods where the same building type or plan is repeated, building elements, palettes, and styles should provide variation along the street.

Intent:

Achieve variety of design to ensure the development is visually interesting and to reinforce the creation of neighborhoods rather than repetitive and identifiable complexes.

Standards:

A. Elevation Design Variation Requirement

- 1. Developments with more than two buildings must comply with the required minimum number of Elevation Design Variations required in Table 2.19.
- 2. For developments with more than two buildings, buildings sited next to one another in the same orientation must have different Elevation Design Variations.
- 3. Elevation Design Variations shall be determined by differences in the patterns of breaking down the horizontal and vertical massing, the building composition, application of building elements, and the material and color palettes.

STEP 2

Ensure there is enough variety to create a neighborhood

Table 2.19 Elevation Design Variation Requirement

Number of residential multiple-family buildings in the development	Min. Different Elevation Design Variations Required
1-2	1
2-6	2
7-9	3
10 or more	1 per every 4 buildings, up to 6 total

BUILDING DESIGN VARIETY PRINCIPLE

- Variety in residential design creates inviting, interesting neighborhoods.



Figure 2.109 The example shows two Attached Building Types, with different Elevation Design Variations, defined by different composition and massing patterns (A-B-A and C-D-E).

Building Form and Massing

Breaking down building massing is essential to creating buildings that are well-proportioned and fit into a neighborhood context. This may be accomplished through plane changes, materials, and articulation.

Intent:

To create aesthetically pleasing building forms and to articulate buildings in a way that allows people to relate to the scale of the building, regardless of the length of elevation or height of the building.

A. Breaking Down Massing Horizontally

Standards:

- 1. Building proportions shall have a distinguishable top, middle, and base.
- 2. Openings shall be larger at the base or on the second floor and decrease in height towards the top of the building.
- 3. Materials shall appear heavy at the base of the building to anchor the building to the ground. Reference 2.5.6.A.1 Masonry Base Requirements.

Table 2.20 Horizontal Massing Break Requirements

	Techniques for Defining Horizontal Massing	Techniques for Enhancing Horizontal Massing
	• Visibly apparent material change • String course (horizontal banding) • Step-back or change in plane	• Scale of openings • Transparency percentage and visual weight • Building elements (storefronts, bay windows, roof lines)
Front, side, or any elevation visible from public streets or open spaces	Apply at least one technique between the top and middle of the building Apply at least one technique between the middle and base of the building	Apply at least two techniques
Rear Elevation	Apply at least one technique	N/A



Figure 2.112 Building 2.5 stories or shorter broken down horizontally



Figure 2.113 Building 3 stories or taller broken down horizontally

STEP 3

Break down the building massing vertically and horizontally



Figure 2.110 Horizontal massing defined by material changes



Figure 2.111 Multiple-family building with clearly defined top, middle and base

B. Breaking Down Massing Vertically

Multiple-family buildings have longer masses as a result of multiple units being contained in one building. Buildings 48 feet or longer are required to follow the standards below.

Standards:

Table 2.21 Vertical Massing Break Requirements

	Techniques for Defining Vertical Massing	Techniques for Enhancing Vertical Massing
	- Change in plane in the facade of the building (set forward or back) - Significant break in eave line or roof form	- Change in material with plane change - Pattern of openings and opening types - Minor change in eave line or roof form - Building elements (porches, bay windows, roof lines, etc.)
Front, side, or any elevation visible from public streets or open spaces	Apply both techniques, at the intervals described in <i>Table 2.22</i>	Apply at least one technique
Rear Elevation	Apply at least one technique	N/A

MASSING PRINCIPLES

- Well-proportioned components relate to human-scale and make pedestrians feel comfortable around the building.
- Larger buildings must be broken down through a series of changing planes and roof forms to create vertical masses and rhythm along a street or open space.

Table 2.22 Vertical Massing Break Requirements by Building Type

Building Type	Maximum Horizontal Distance at which a Vertical Break is Required
A Paired Unit	No requirement
A Attached House	Width of 3 units or 70 feet, whichever is lesser
A Walk-Up Building (both Single- and Double-Aspect)	Width of 2 units or 50 feet, whichever is lesser
A Corridor Building	Width of 4 units or 90 feet, whichever is lesser
A Liner Building	Width of 4 units or 90 feet, whichever is lesser

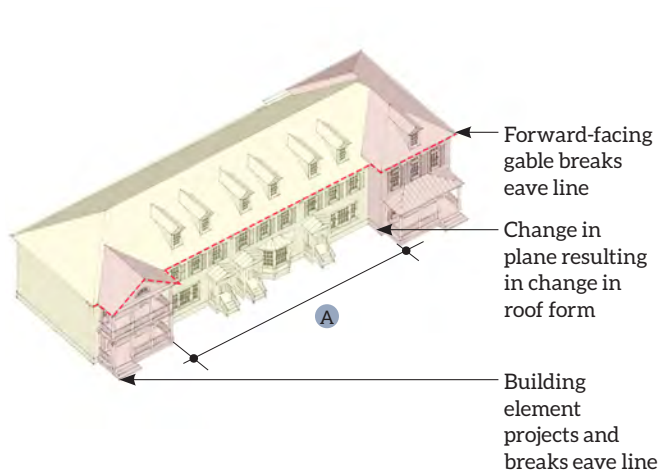


Figure 2.114 Attached House with mass broken up vertically

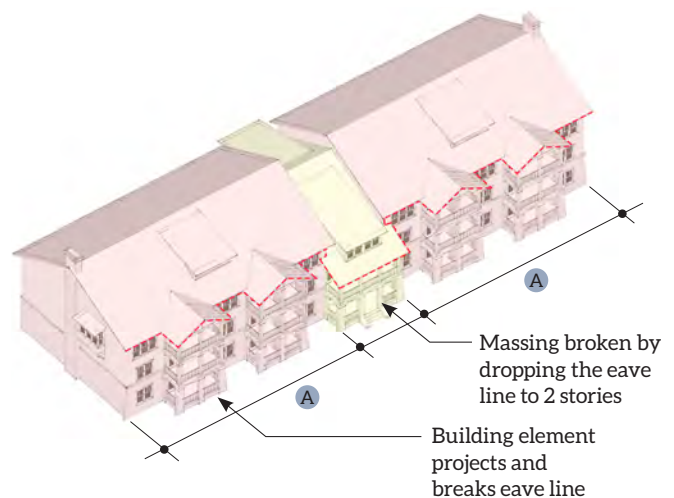


Figure 2.115 Multiple-Family Corridor Building with mass broken up vertically

Building Composition

Buildings are composed using vertical bays and a pattern of openings.

Intent:

To organize a building's basic elements (wall and openings) to create a recognizable rhythm, increase interest and walkability, and creates inherent security with eyes on publicly accessible streets and spaces.

A. Bays

Standards:

1. Bays must be expressed on front and side elevations by doing two of the following:
 - a. Ensuring that centerlines of openings are stacked vertically and visibly express load-bearing members in between openings;
 - b. Breaking the horizontal or vertical massing up with a recess, projection, or a change of plane to break the roof form or add forward-facing gables; or
 - c. Designing building elements (porches, balconies, dormers, or others) in clear vertical alignment.
2. Bay width shall not be larger than 24 feet or the width of one unit, whichever is lesser.



Figure 2.116 Walk-up Multiple-Family Building with regularly spaced bays

B. Openings/Fenestration

Fenestration is the pattern of openings and windows on a facade.

Guidelines:

1. Ground floor transparency should be a minimum of 25%, measured as a percentage of glazing in the base of a building.
2. Upper floor transparency should be a minimum of 15% glazing, measured as a percentage of glazing on the middle of a building. For certain styles, it may be appropriate to have up to 30% glazing on upper floors.
3. Special windows and fenestration patterns should be used to accentuate focal elements on the facade (towers, dormers, entries).
4. If using mullions and muntins on a traditional style building, divided lights (panes) should be square or vertical in proportion, and should be consistent with window patterns of the traditional style.

STEP 4

Compose the building with bays, windows, and entries

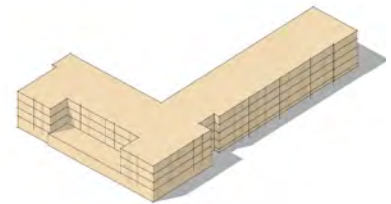


Figure 2.117 After the basic massing has been articulated, map the bays onto the facades to set the rhythm of openings

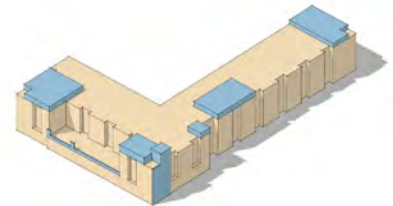


Figure 2.118 Add special elements to the top of the building to accentuate important bays in the composition

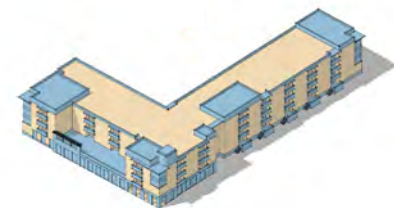


Figure 2.119 Add building elements that further define the bays, such as balconies

C. Entries

Articulating building entries is an important part of the Building Composition step. Entries elevate certain parts of the building in hierarchy and should be more important in the elevation design than typical bays to indicate where to enter the building.

Standards:

1. A street-facing or open space-facing entry is required for the primary entrance of every building.
2. The main entrance of every building shall be articulated architecturally, with the addition of Building Elements (*see Page 2 – 58*) *Inventory of Building Elements*.
3. For Walk-up Multiple-Family Buildings (Single and Double-Aspect), Corridor Buildings, Liner and Texas Wrap Buildings, entry shall be required every 70 feet at a maximum.

Guidelines:

1. Entries should receive a higher quality of material and/or Building Element than other portions of the building.
2. Entries should be clearly articulated and should look welcoming to people of all ages and abilities. Buildings shall comply with all Fair Housing Act regulations. Ramping should be minimized along public and highly visible internal streets.
3. Entries should have enhanced pedestrian space and accommodations, including furniture such as trash cans, bicycle racks, planting or planters, pedestrian-scale lighting, and other features.
4. Entries shall reflect the style of the building. The Design Standards encourages a variety of styles, both traditional and contemporary, as appropriate for the context.



Figure 2.120 Townhouse entries articulated with awnings, stoops, fencing, planting, and color palette

Table 2.23 Building Element Required at Entries

Building Type	Required at each Entry
Paired Unit	Either a Porch or a Stoop and Awning
Attached House	Either a Porch or a Stoop and Awning
Walk-Up Multiple-Family Building (Single-Aspect)	Either a Porch or a Stoop and Awning
Walk-Up Multiple-Family Building (Double-Aspect)	Either a Porch or a Stoop and Awning
Corridor Multiple-Family Building	Awning
Liner Multiple-Family Building	Porch or Stoop/Awning (if individual entries into ground-based units, or an Awning (if entry into corridor circulation))
Texas Wrap Building	Porch or Stoop/Awning (if individual entries into ground-based units, or an Awning (if entry into corridor circulation))
Amenity Building	Porch or Awning



Figure 2.121 Examples of entry doors for multiple-family development

D. Approaches for Composition

Intent:

Ensure interest and variety in the way buildings are composed and to provide alternatives of how to provide that variety in a way that fits into the surrounding context.

Guidelines:

1. Composing a Building as a Single Design

- a. **Context:** Consider context to ensure that a building fits into the scale, massing, and architectural style of its surroundings.
- b. **Materials:** Use a consistent material and color palette across the building, but pay particular attention to diversity and application to ensure the building does not have a monotonous design.
- c. **Massing:** This design approach can emphasize the horizontal nature of a building, so pay particular attention to how the mass is broken down vertically; create pronounced vertical breaks in the building and the roof forms.
- d. **Variation:** If two of the same Building Type are sited next to or across from one another, Elevation Design Variations should be pronounced, with massing and bay differences. Elevation Design Variations in this instance may not rely on color palette changes alone.



Figure 2.122 Composing a building as a single design

2. Composing a building as Multiple Buildings

- a. **When to Apply:** Use this approach when siting a horizontal building into the surrounding context of smaller, more vertical buildings, such as a historic center or a single-family detached neighborhood with houses that are more narrow than they are tall.
- b. **Massing:** Use different material and color palettes to emphasize the appearance that smaller buildings were built next to one another, rather than a single building.



Figure 2.123 Composing a building as multiple buildings



Figure 2.124 Multiple-family building designed as a single building, using a consistent material and color palette



Figure 2.125 Single multiple-family building designed as multiple smaller buildings attached together, with different palettes and details

Building Elements

Intent:

To break multiple-family buildings down to pedestrian scale and provide visual interest, create rhythm along the building, and reinforce the composition of the building.

Standards:

STEP 5

Apply building elements to create human-scale

Table 2.24 Building Element Requirements

Building Type	Roof and Eave Requirements	Additional Requirements
Paired Unit	Permitted roof and eaves types include: - Pitched roof (gable, hip, or shed) with simple overhang or cornice - Flat roof with cornice or parapet	Dormers, Balconies, Bay Windows, Terraces (select 1)
Attached House		
Walk-Up Multiple-Family Building (Single-Aspect)	Soffit Design - See requirement below	
Walk-Up Multiple-Family Building (Double-Aspect)	Permitted roof and eaves types include: - Pitched roof (gable, hip, or shed) with simple overhang or cornice - Flat roof with cornice or parapet	Dormers, Balconies, Bay Windows, Terraces (select 1)
Corridor Multiple-Family Building		Balconies required; Dormers, Bay Windows (optional)
Liner Multiple-Family Building	Soffit Design- See requirement below	Balconies required; Dormers, Bay Windows (optional)
Texas Wrap Building		Balconies required; Dormer, Bay Windows (optional)
Amenity Building	Pitched roof (gable, hip, or shed) acceptable, simple overhang or cornice required Soffit Design - See requirement below	Dormers, Bay Windows (optional)

Standards:

Requirements for Soffit Design - No roof overhang or soffit, as measured from the finished side of the siding or premium material of the structure to the inside of the fascia board, shall be less than eight (8) inches, unless: the structure embodies architectural styles of an historical nature; for example, a Santa Fe style which has a flat roof without any overhang; or a Tudor style which has a roof pitch of a ten (10) vertical inch rise over a twelve (12) horizontal inch run (10/12) or greater.

For guidance on how to apply Building Elements at entries, please reference Table 2.23 Building Elements Required at Entries.



Figure 2.126 High-quality and well-designed wrapping Porch and Balcony

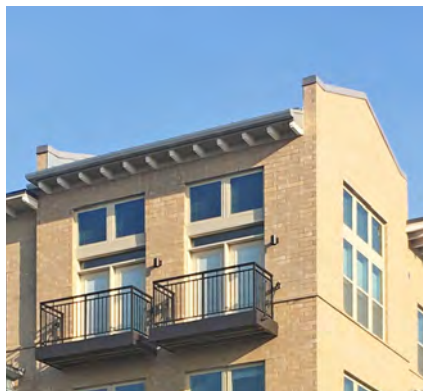


Figure 2.127 High-quality and well-designed overhang and eave

A. Inventory of Building Elements

The following catalogue of photos illustrates the Building Elements that are appropriate for multiple-family residential buildings.



Figure 2.128 Simple Eave Overhang



Figure 2.129 Pitched Roof



Figure 2.130 Cornice

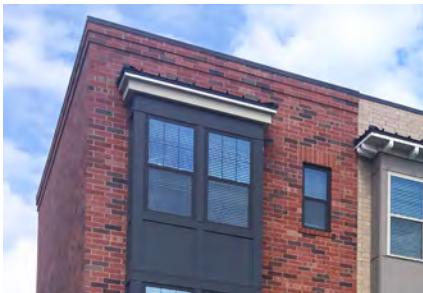


Figure 2.131 Parapets



Figure 2.132 Dormers



Figure 2.133 Balconies



Figure 2.134 Porte Cochere



Figure 2.135 Stoop



Figure 2.136 Terraces



Figure 2.137 Awning

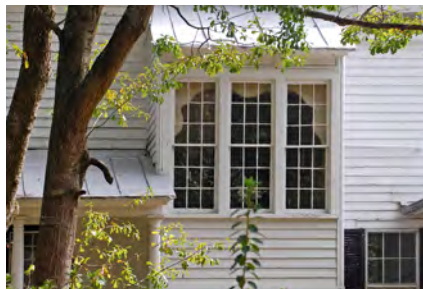


Figure 2.138 Bay Windows



Figure 2.139 Porch

Exterior Building Palettes

The visual appeal of building materials has a tremendous impact on the perception of any building. The following standards and guidelines should be used to make decisions about the material and color palettes.

A. Permitted Materials

Intent:

Present an image of high-quality and permanence to ensure that multiple-family development in Parker is sustainable, durable in the climate, and complements the surrounding context.

Standards:

1. Masonry Base Requirements
 - a. Buildings 2 ½ stories or less in height shall have a minimum 36-inch masonry (natural stone or brick with mortar) base.
 - b. Buildings three stories or more shall have a masonry (natural stone or brick with mortar) base the height of the ground or first floor.
2. Upper floors are encouraged to be built in masonry as a primary material. Select bays or corner features may be appropriate to be constructed in masonry (natural stone or brick with mortar) for the entire height of the building, depending on the building design.
3. High-quality materials from the list on Page 2 – 60 are encouraged for building elements on upper floors.
4. High-quality fiber-cement siding, panel systems, and cladding materials, as long as they are not imitating masonry.
5. Use durable, natural materials that will stand the test of time or modern composites that provide comparable or greater durability than natural materials and have a similar aesthetic.
6. Use environmentally sensitive materials, green-building products, as defined by the standards of the U.S. Green Building Council (USGBC) and similar rating systems, whenever possible.
7. CMU may be used with Planning Director approval.
8. Vinyl Window Requirements:
 - a. Vinyl windows shall be selected in premium colors where appropriate with building design (i.e. sandstone, bronze, etc.).
 - b. Window color selection should be consistent with building design and follow the Color Standards in 2.5.6.D.
9. Materials should change along horizontal lines that indicate a floor or sill level or along vertical or horizontal plane changes.
10. Building Trim Requirements:
 - a. Trim around windows shall be minimum of three and one-half (3½) inches wide, and trim around doors shall be a minimum of two (2) inches wide.
 - b. Trim details such as special moldings, colors and related details shall be used in the same manner on all sides of the structure as they appear on any side of the structure. However, shutters and any detail exclusively associated with the use of shutters and muntins may be used on the front without being carried to the other sides.

STEP 6

Apply a palette of materials and colors



Figure 2.140 Stone Building Material

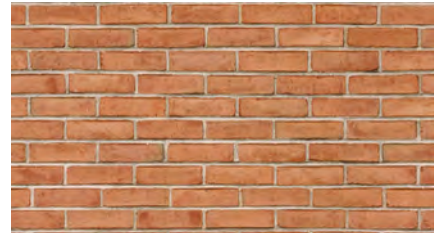


Figure 2.141 Brick Building Material

B. Restricted Materials

Standards:

1. Exterior Building Materials shall not include the following: split shakes, manufactured stone, products that emulate brick or masonry, smooth-faced gray concrete block, painted concrete block, tilt-up concrete panels, field painted or pre-finished standard corrugated metal siding, vinyl siding, one-way, mirror, and spandrel glazing, standard single (T) or double (TT) concrete systems, or barrier type Exterior Insulation and Finish Systems (EIFS).
 - a. Field-painted or pre-finished standard corrugated metal siding is prohibited as primary building material but may be used on building elements.
 - b. Rough sawn wood may be permitted as a weather-treated product, as long as it's only used as an accent material and is restricted to be used as a trellis or beam materials. This material will be considered on a case-by-case basis, subject to approval by the Planning Director.
2. Stucco or Water Managed EIFS Requirements:
 - a. Buildings 2 ½ stories or less in height shall not use water managed EIFS as a cladding material.
 - b. Buildings three stories or greater in height:
 - i. Shall not use EIFS as a cladding material on the first two floor facades.
3. One-way, mirror glass and spandrel glazing are prohibited.
4. White vinyl windows are prohibited.

Guidelines:

5. Buildings three stories or greater in height:
 - a. May have a maximum of 40% of cladding material for the third floor and above to be EIFS, when composed with well-designed building elements made of high-quality materials.

C. Submittal Requirements and Alternative Compliance

1. Building Facade Material Incentive
 - a. If an applicant includes exceptionally designed building elements constructed of high quality materials (from the list to the right) on the first two stories of the building, they may qualify for a 25% reduction on the masonry requirement or Stucco/EIFS requirement.



Figure 2.142 Multiple-Family Building designed with a variety of materials

HIGH QUALITY MATERIALS (BUILDING ELEMENTS)

- Heavy timber (exposed rafters, brackets, balconies, porches, etc.)
- Load-bearing masonry (brick or stone)
- Natural stone in full-size blocks (not veneer)
- Copper or galvanized metal (gutters, downspouts, metal roofing on awnings)



Figure 2.143 High-quality material (wood) used for exposed rafters of an awning



Figure 2.144 High-quality wood timber eave detail, with exposed rafters

D. Color

Intent:

Exterior colors palettes shall be cohesive and aesthetically pleasing, within a single building or neighborhood design and within the greater context of surrounding structures and landscapes.

Standards:

1. Each building elevation or segment of a building elevation shall have a minimum of three (3) exterior colors — one base color, one trim color, and one accent color.
2. Intense, bright, black, or fluorescent colors shall not be used as the base or roof color of any primary or accessory structure.
3. White shall not be used as the base color of any primary structure.

Guidelines:

4. Base Colors
 - a. If the cladding is masonry, the base color should be the natural color of the material. Masonry should reflect regional colors and should be complementary to the design of the building and to the Colorado landscape.
 - b. If cladding material has an integral or applied color, the base color should be cohesive with the trim and accent colors.
 - c. For portions of a building, non-neutral colors may be selected for the base, including earthy greens, yellows, blue-greys, or reds.
5. Trim Colors
 - a. Trim colors may be neutral in subtle contrast to the base color (white, off-white, dark grey, black).
 - b. Trim colors may also be non-neutral or more saturated to provide greater contrast to the base color.
6. Accent Colors
 - a. Accent colors should be the darkest and most saturated colors on a building and provide the highest degree of contrast to the base.
 - b. Accent colors may introduce bright or diverse colors to create diversity and interest.

Table 2.25 Palette Applications

Applications	
Base Colors	Apply to walls and large surface areas, including:
	• Siding • Brick, unfinished or painted • Panels • Other primary cladding materials
Trim Colors	Apply to trim elements, including:
	• String courses (horizontal bands) • Corner trim boards • Window headers and trim • Gutters and downspouts • Entablatures and cornice details
Accent Colors	Apply in small amounts to add color to elements such as:
	• Window sashes, muntins, and mullions • Doors • Projections, awnings, galleries, and other building elements



Figure 2.145 Multiple palettes applied to one Attached House Building

Chapter 3: Design Standards for Publicly Accessible Space

The Design Standards and Guidelines for Publicly Accessible Space address all softscape and hardscape elements, both within publicly accessible areas and privately controlled exterior areas within all development types: Commercial, Industrial, Mixed-Use, and Multiple-Family. These exterior elements such as pocket parks, open spaces, trail connections, site furnishings, plantings, streetscape and plaza areas must also conform to the Town's *Land Development Ordinance (LDO)*, and the Town of Parker's *Construction Specifications and Design Considerations for Parks, Trails, Streetscapes* document, beyond what is contained in these Design Standards and Guidelines.

A. Public Spaces

Intent

Locate public space throughout a development to encourage social interaction, outdoor enjoyment, and community identity. Appropriately-located exterior publicly accessible spaces and amenities provides for active and passive programming that are also harmonious with the surrounding natural and built environment. Exterior amenity spaces provide for relaxation, recreation socialization and community interaction. A variety of different amenity types should be located throughout a multiple-family development.

Standards

1. Commercial and Mixed-Use Developments

- a. Design human-scaled public spaces such as plazas, courtyards, pedestrian corridors, outdoor seating areas, outdoor patio eating areas, open spaces, and other similar public spaces that support active and passive public uses for all people (*see figure 1*).
- b. Where possible, design public spaces with connectivity to other existing public spaces adjacent to the development.
- c. Public spaces shall be oriented on a site to respond to the sun and shade patterns and seasonal weather conditions.
- d. Design public spaces with year-round weather protection, and outdoor lighting.
- e. Locate active and passive uses within a project so that they are adequately buffered by landscaping from adjacent residential uses, roadways or parking areas.
- f. Plazas shall provide a balance of hardscape and softscape elements that help provide shade, soften and buffer appropriate areas of the plazas.



Figure 1 – Examples of publicly accessible spaces in commercial and mixed use developments that meet the Design Standards.

2. Multiple-Family Developments

- a. Multiple-family developments shall include public space and recreation amenities as follows (*see figure 2*):
 - i. Tot lots
 - ii. Pocket parks
 - iii. Playgrounds
 - iv. Tennis or sports court
 - v. Pools
 - vi. Amenity roof decks
 - vii. Community gardens or internal recreation facilities.
- b. Multiple-Family developments with less than 50 units shall provide at two (2) amenities as listed in 2.a above.
- c. Multiple-Family developments with 50 to 150 units must provide three (3) amenities; and over 150 units four (4) features as listed in 2.a. above.
- d. Tot lots and active recreation uses shall not be located immediately adjacent to residential units to minimize noise impacts.
- e. Public spaces shall consist of other commonly shared amenities that provide year-round use.
- f. Plazas in multiple-family developments shall provide a balance of hardscape and softscape elements that help provide shade, soften and buffer the plaza.

Guidelines

3. Commercial, Mixed Use, and Multiple-Family Developments

- a. Contrasting special paving materials and low walls, lighting, planters or bollards should be used at special amenity areas of a development, such as outdoor dining, main building entrance points, and exterior employee breakout spaces.
- b. Passive use areas shaped by building courtyard spaces should consider buffers to abate visual and noise considerations.



Figure 2 – Examples of publicly accessible spaces in multiple-family developments that meet the Design Standards.

B. Public Art

Intent

To incorporate public art into the design of commercial, mixed-use and multiple-family developments to enrich the public realm experience and create a unique identity for the development. Incorporate public art into the design of the buildings or highly visible exterior areas. Requirements listed below only apply to commercial, mixed-use and multiple-family developments, and are not required for industrial developments.

Standards

1. Commercial and Mixed-Use Development

- a. Public art shall consist of human-scaled sculptures, murals, water features, mosaic designs, and decorative metal wall screens that are suitable for a family-oriented environment.
- b. Public Art shall relate to the scale and character of the surrounding environment.
- c. Public art shall be constructed of durable materials that will withstand the sun and extreme freeze-thaw conditions of Colorado's climate.
- d. The Town shall review the design and selection of a public art feature during the site plan review process.
- e. Public art shall be placed in areas that are visible along key sight lines and as focal points in highly trafficked areas or at the primary entry to a commercial and mixed-use site. Appropriate areas for public art locations are:
 - i. Gateway features
 - ii. Public sitting areas
 - iii. Pedestrian-oriented areas
 - iv. Along key site lines from roadways
 - v. Building entries
 - vi. Publicly-accessible plaza areas
- f. Public art in commercial and mixed-use areas shall be designed at a human scale for the site and consider the planning context in surrounding area.
- g. Commercial and mixed-use projects over 50,000 square feet shall provide at least one piece of public art to be placed in areas per section 5.i – vi above.

2. Multiple-Family Development

- a. A multiple-family development with over 75 units shall provide at least one (1) piece of public art that will be integrated into a public area within the site.



Figure 3 – Examples of public art that meet the Design Standards.

C. Site Lighting for Public Spaces

Intent

Site lighting elements and fixtures for publicly accessible space shall be thoughtfully located to create safe well-lit pedestrian walkways, building entries, park areas and all other public realm environments while minimizing light pollution. All site lighting types shall comply with the Town's *Lighting Standards* in the LDO, and the requirements of the *Construction Specifications and Design Considerations for Parks, Trails and Streetscapes*.

Standards

1. Commercial, Industrial, Mixed-Use, and Multiple-Family Developments

- a. Uniquely styled pedestrian light fixtures throughout the project shall be consistent and used as thematic elements.
- b. Architectural building features such as corner treatments, articulated eaves or covered walkways shall integrate enhanced lighting treatments into the overall site design (see figure 4).
- c. Exterior building and site lighting fixtures shall be concentrated at building entry points to identify the entrance points.
- d. Lighting sensors activated by occupancy usage should be encouraged for private lighting areas.



Figure 4 – Examples of site lighting for public spaces that meet the Design Standards.

D. Streetscape

Intent

Utilize streetscape elements in a thoughtful and coordinated design manner to shape exterior space and to help define the streetscape edges by enclosing a safe pedestrian zone within the right-of-way and the screening of adjacent parking facilities. Streetscape design shall comply with the Town's *Roadway Design and Construction Criteria Manual*, the *Complete Streets Policy*, and the *Construction Specifications and Design Considerations for Parks, Trails and Streetscapes* and the LDO.

Standards

1. Commercial, Industrial, Mixed-Use, and Multiple-Family Developments

- a. Streetscape design shall incorporate detached sidewalks with planting strips between the back of the sidewalk and street curb within the development site; and well-designed landscaping and street trees.
- b. Street furnishing elements such as: tree grates, street furniture, bike racks, and outdoor dining areas shall consist of high-quality and durable materials that are consistent with the building architecture, color themes, and complement the surrounding environment (see figure 5).
- c. Street furnishing elements will withstand extreme freeze thaw, heat, wind, and snowy conditions of Colorado and be consistent with the character of the development.



Figure 5 – Examples of streetscapes that meet the Design Standards.

E. Landscape Design

The landscape design for commercial, mixed-use, industrial, and multiple-family developments shall be designed to soften the larger scale of building types and larger sized parcels. Specific requirements for the quantity, size and placement of plant material is defined in the Town's LDO. The LDO *Section 13.06.070* identifies six (6) landscaping types required for a developed parcel:

- Streetscape Landscaping
- Parking Lot Perimeter Landscaping
- Parking Lot Interior Landscaping
- Site Perimeter Landscaping
- Additional Areas to be Landscaped
- Residential Roadway Buffer for Single-Family and Duplexes

Intent

To integrate thoughtful landscape solutions that are harmonious with the proposed architectural design and the Town's native landscape character.

Standards

1. Landscape Design Features of Commercial, Mixed-Use, Industrial, and Multiple-Family Developments

- a. Landscape planting materials shall generally be layered against a building or edge treatment from high to low in height so that the full character of the plants can be appreciated and utilized to shape exterior spaces.
- b. Tree grates shall be a minimum of five (5) feet by eight (8) feet.
- c. Utilize lawn areas only where active recreation and usage will occur.
- d. Provide a minimum eight (8) foot landscape buffer between public walkways and building edges except at building entry and exit points.
- e. The planting strip between the back of the roadway curb and the sidewalk shall be planted with shrubs and groundcover or low water use turf and designed to create visual interest.
- f. The space between the public realm and a building facade that does not have an active use shall be designed with higher standards of landscaping and streetscape to create an attractive building front and street edge.
- g. Select natural plant materials that transition between natural open spaces and the internal project landscape material.
- h. Utilize landscaping to logically shape spaces that create and facilitate circulation paths in logical and intuitive patterns (*see figure 6*).
- i. Use landscaping to help guide people to building entry points through a higher concentration of landscape material.



Figure 6 – Examples of landscape features that meet the Design Standards.



Planning Commission Staff Report

Planning Commission Date: 10/24/2019

Town Council Date: 11/4/2019

Hearing Type: **DRAFT ORDINANCE NO. 3.326.2 - A Bill For an Ordinance to Amend Sections 13.06.020, 13.10.160, 13.10.200 and 13.16.040 of the Parker Municipal Code Concerning the Town of Parker Development Design Standards**

Location: Townwide

Project Planner: Carolyn Washee-Freeland, Associate Planner

Applicant: Town of Parker

Executive Summary: The Commercial, Industrial and Multiple-Family Residential Design Standards ("CIMF"), was originally adopted by Town Council on November 1, 1999 and was last updated on November 19, 2018 to update the design standards for multifamily buildings. Ordinance No.3.326.2 proposes to replace the CIMF with the updated Development Design Standards that include new design standards for Commercial, Industrial, Mixed-Use, and Multiple-Family developments.

Staff Recommendation: Approval

RECOMMENDED MOTION

"I move the Planning Commission recommend Town Council approve the Development Design Standards and Ordinance 3.326.2."

ALTERNATIVE MOTIONS

"I move that the Planning Commission recommend that Town Council deny approval of the Development Design Standards and Ordinance 3.326.2."

"I move that the Planning Commission vote to continue approval of the Development Design Standards and Ordinance 3.326.2."

I. BACKGROUND/DISCUSSION

Amendments to Sections 13.06.020, 13.10.160, 13.10.200 and 13.16.040 of the Parker Municipal Code have been prepared through Ordinance 3.326.2. This ordinance will amend these sections to reference the new Development Design Standards document, replacing the title “Commercial, Industrial & Multiple-Family Residential Design Standards.”

The Town of Parker’s Commercial, Industrial, & Multiple-Family Residential (CIMF) Design Standards document was formally adopted by Town Council on November 1, 1999. The Design Standards have been revised with multiple minor amendments since adoption but are now dated and obsolete. Community Development staff discussed the need for a comprehensive update to the Design Standards with Town Council in 2017, and Council directed staff to proceed with the project. The Town subsequently hired an urban design consultant to assist Town staff prepare the comprehensive update to the CIMF Design Standards. The update of the original CIMF included a two-phased approach, with phase one consisting of the Multi-Family Residential Design Standards update, and phase two consisting of the Commercial, Industrial and Mixed-Use (CIMU) Design Standards component.

The Multi-Family Residential Design Standards (phase one) were updated in the fall of 2018 and were subsequently adopted by Town Council in November 2018. Phase Two CIMU design standards are now complete and are further described below. This concludes the update of all sections of the original CIMF Design Standards document. The new design standards have been consolidated into one document that will replace the CIMF in its entirety, and will be referenced as the ‘Development Design Standards’. The Parker 2035 Master Plan supports and recommends updating the Town’s design standards as further described on Section III below in this staff report.

Highlights of the new CIMU Design Standards

The new CIMU Design Standards feature graphics, photos and site layouts that will aid the development community in the design of buildings appropriate for Parker. The following are a few highlights from the new CIMU Design Standards:

- **Definitions:** Definitions that relate to planning, site layout and architectural design have been added for clarity and to ensure consistency in the use of architectural design terminology.
- **Building Orientation:** The building orientation standards were created to emphasize the activation of street frontages and encourage high quality design while improving the public realm, especially where people walk, bike and congregate.
- **Create a Human-Scaled Environment:** Large development sites will be required to be divided into smaller commercial development blocks to improve multimodal connectivity and create a more walkable, bike-able and human-scaled environment.
- **Enhancement of Building Design:** The building design section addresses the design of a building’s front, side, and rear façades focusing on architectural detailing, and form and bulk standards.

- **Building Typologies:** To encourage buildings with high quality design and composition, building typologies were developed to allow for a design approach that responds to context, proposed uses and modern development practice. The building typologies are:
 - **Commercial Buildings:** Single-tenant commercial building, multi-tenant commercial building, office and mixed-use.
 - **Commercial Buildings with Auto-Oriented Uses:** This building type includes commercial buildings with auto-oriented components such as a drive through, gas canopy, car wash or car repair.
 - **Industrial Buildings:** Includes a single-tenant building with office, warehouse and showroom, a flex office building or a multi-tenant building.
- **Industrial Building Design:** The Industrial Building Design section focuses on articulation, modulation and visual balance in building composition while considering the operational functions of the industrial use.
- **Renovations of Existing Buildings:** The new design standards for renovations and additions provide direction for improving an existing structure, requiring new building additions to be complementary in form and massing, and integrating the new and old sections of a building together in a harmonious manner.

Development Design Standards Document

The Development Design Standards document features three (3) chapters:

Chapter 1: Commercial, Industrial, and Mixed-Use Design Standards

Chapter 2: Multiple-Family Design Standards; and

Chapter 3: Publicly-Accessible Space Design Standards

The Development Design Standards will replace the original CIMF Design Standards document in its entirety, and will establish the site layout, building orientation and architectural requirements used during the review of all Site Plan applications for commercial, industrial, mixed-use, and multiple-family development.

II. PRIOR ACTIONS

Date	Action
11/01/1999	Town Council adopted the Town of Parker Commercial, Industrial, & Multi-Family Residential Design Standards on November 1, 1999.
01/17/2017	Town Council approved updates to the Town of Parker Commercial, Industrial & Multi-Family Residential Design Standards on January 17, 2017.
11/19/2018	Town Council approved the most recent updates to the Town of Parker Commercial, Industrial, & Multi-Family Residential Design Standards on November 19, 2018. This update included the adoption of the new Multi-Family Design Standards.

III. PARKER 2035 MASTER PLAN
[Parker 2035 Master Plan | Town of Parker - Official Website](#)

MASTER PLAN CONSISTENCY	
2035 Master Plan	Choose an item. ☒ Consistent ☐ Inconsistent
Consistent Goals/Strategies	Land Use 1.J Community Appearance and Design 2.B Community Appearance and Design 3.A Community Appearance and Design 5.C
Inconsistent Goals/Strategies	None
Staff Analysis	The Parker 2035 Master Plan, Chapter 6 (Land Use) Includes: Strategy 1.J. <i>‘Continue to review our Land Development Ordinance to assure that it is fair, consistent and understandable.’</i> and Chapter 7 includes: Strategy 2.B. <i>‘Use architecture, building design, public spaces and massing to create neighborhoods that are desirable places to live.’</i> Strategy 3.A <i>‘Work with the residents, businesses and property owners within our community to update the commercial design standards to ensure development and redevelopment reflects the community’s desire to create a high quality built environment that differentiates us from surrounding communities. Use architecture, building design, public spaces and massing to create unique and attractive commercial destinations that are easily accessible by all modes of travel, especially walking and bicycling, therefore creating attractive, economically vibrant/sustainable places.’</i> Strategy 5.C <i>‘Where appropriate, locate buildings adjacent to the street to either block or break up the view of parking lots.’</i> The proposed amendments are consistent with these goals of the Parker 2035 Master Plan.

IV. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
None	

V. CONCLUSION

The implementation of the new Development Design Standards will promote higher quality building design, improve site layout, and enhance the public realm.

Staff recommends that the Planning Commission recommend Town Council approve the Development Design Standards and Ordinance 3.326.2.

VI. ATTACHMENTS

1. Development Design Standards
2. Ordinance No. 3.326.2

Report Approved By: Bryce Matthews, Planning Manager

Through: Jason Rogers, Deputy Community Development Director



Request for Town Council Action

Date: November 4, 2019

Submitted By: Rhonda Willey, Accounting Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 1.523.5 First Reading**
A Bill for an Ordinance to Adopt the 2019 Revised Budget for the Town of Parker and to Make Appropriations for the Same

Department: Finance, Rhonda Willey
Second Reading: December 2, 2019

EXECUTIVE SUMMARY

The purpose of this budget revision is to amend the appropriated funds for 2019. The total budget amendment is a net increase of \$1,573,525 revenue to the General Fund, and a net increase of expenditures of \$376,060 to the Capital Improvements Fund.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town refunded the 2009 COPs in August of 2019. When the COPs were refunded, the original debt was paid off and accounted for as an expenditure. The General Fund expenditures need to be increased by \$28,509,710 to account for the transaction. The new debt was accounted for as a revenue. The General Fund revenue needs to be increased by \$30,083,235 to account for the transaction.

There was a significant hail storm in the summer of 2019 which led to several roof replacements. The Town outsources a major portion of these inspections. The Town also receives building permit revenue for the inspections. The budget revision includes an increase in revenues and expenditures in the amount of \$30,000 for these increases.

There are two developer funded projects in the Public Improvements Fund. The budget revision includes an increase of \$376,060 in expenditures for these. The projects are listed in Exhibit A attached to the Ordinance.

FINANCIAL IMPACT

	Supplemental Expenditures	Supplemental Revenue	Net Revision
General Fund	\$ 28,539,710	\$ 30,113,235	\$ (1,573,525)
Capital Improvement Fund	376,060	-	376,060
Total all funds	<u>\$ 28,915,770</u>	<u>\$ 30,113,235</u>	<u>\$ (1,197,465)</u>

STRATEGIC GOAL(S)



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. Ordinance No. 1.523.5

RECOMMENDED MOTION

I move to approve Ordinance 1.523.5 on first reading and schedule second reading for Monday, December 2, 2019, as part of the consent agenda.

ORDINANCE NO. 1.523.5, Series of 2019

TITLE: A BILL FOR AN ORDINANCE TO ADOPT THE 2019 REVISED BUDGET FOR THE TOWN OF PARKER AND TO MAKE APPROPRIATIONS FOR THE SAME

WHEREAS, the Home Rule Charter of the Town of Parker specifies that Town Council may make additional appropriations by ordinance during the fiscal year for unanticipated expenditures; and

WHEREAS, upon due and proper notice published and posted in accordance with the Town of Parker Home Rule Charter, said proposed budget revisions are open for inspection by the public at the Town Hall.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. The 2019 Revised Budget for the Town of Parker, Colorado, which is attached hereto as **Exhibit A** and incorporated by this reference, is hereby adopted and the monies are appropriated to the various funds as the same are budgeted.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2019.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2019.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

Town of Parker**2019 Revised Budget Ordinance 1.523.5**

1st Reading

2nd Reading

November 4, 2019

December 2, 2019

Exhibit A

	<u>Revision</u>	<u>2019 Revised Budget</u>
<u>General Fund</u>		
Beginning fund balance		\$ 21,031,496
Revenue		52,742,017
Revenue revision	<u>30,113,235</u>	<u>30,113,235</u>
Total revised revenue		82,855,252
Total available		<u>103,886,748</u>
Expenditures		58,205,445
2018 Carryover	-	
Supplemental appropriation	<u>28,539,710</u>	
Total expenditure revision		<u>28,539,710</u>
Total revised expenditures		<u>86,745,155</u>
Ending fund balance		<u><u>\$ 17,141,593</u></u>
<u>Public Improvements Fund</u>		
Beginning fund balance		\$ 21,460,922
Revenue		<u>11,595,263</u>
Revenue revision	<u>-</u>	<u>-</u>
Total revised revenue		<u>11,595,263</u>
Total available		<u>33,056,185</u>
Expenditures		16,254,075
2018 Carryover	-	
Supplemental appropriation	<u>376,060</u>	
Total expenditure revisions		<u>376,060</u>
Total revised expenditures		<u>16,630,135</u>
Ending fund balance		<u><u>\$ 16,426,050</u></u>

Town of Parker**Exhibit A****Summary of Revisions to 2019 Budget Ordinance 1.523.5**

1st reading 11/04/2019

2nd reading 12/02/2019

	Supplemental Expenditures	Supplemental Revenue	Net Revision
General Fund	\$ 28,539,710	\$ 30,113,235	\$ (1,573,525)
Capital Improvement Fund	376,060	-	376,060
Total all funds	<u>\$ 28,915,770</u>	<u>\$ 30,113,235</u>	<u>\$ (1,197,465)</u>

Detail of Supplemental Revisions to 2019 Budget Ordinance 1.523.5

1st reading 11/04/2019

2nd reading 12/02/2019

Expenditures**General Fund**

Additional costs for increased roof inspections due to hail storms in summer 2019	30,000
Refunding of 2009 COPs and cost of issuance for 2019 COPS	28,509,710

<i>Total General Fund expenditure supplemental revision</i>	<u>\$28,539,710</u>
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Public Improvement Fund

Kings Point Way stormwater and water infrastructure for Vantage Point - 100% funded by developer	264,850
Motsenbocker widening-Clarke Farms to Todd Drive landscaping and irrigation - 100% funded by developer	111,210

<i>Total Public Improvement Fund expenditure supplemental revision</i>	<u>376,060</u>
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<i>Total expenditure supplemental revision</i>	<u><u>\$28,915,770</u></u>
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Revenues**General Fund**

Building permit fees increased due to permits pulled for roof inspections from hail storms	30,000
2019 COPs proceeds	30,083,235

<i>Total General Fund revenue supplemental revision</i>	<u>\$30,113,235</u>
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<i>Total revenue supplemental revision</i>	<u><u>\$30,113,235</u></u>
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Request for Town Council Action

Date: November 4, 2019

Submitted By: Jacob James, Stormwater Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 9.302 - First Reading**
A Bill for an Ordinance Approving the Agreement Regarding Funding of Major Drainageway Planning for Cherry Creek Upstream of Cherry Creek Reservoir By and Between Urban Drainage and Flood Control District d/b/a Mile High Flood District, Southeast Metro Stormwater Authority, Town of Parker, and Douglas County

Department: Engineering/Public Works, Jacob James

Second Reading: November 18, 2019

EXECUTIVE SUMMARY

This ordinance is to approve an intergovernmental agreement between the Mile High Flood District, Southeast Metro Stormwater Authority, Town of Parker and Douglas County to fund an update to the Cherry Creek master plan document. The existing master plan document is 15 years old and in need of updating to incorporate existing standards and stabilization methods.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Cherry Creek Major Drainage Plan completed by URS in 2004 is a collaborative document used by the Mile High Flood District and local governments to guide the stabilization needs of the creek. This document provided an assessment of the creek in 2004 and identified stabilization needs at that time. The document also provided anticipated needs in the future as development within the basin occurs causing the creek to degrade. Over the past 15 years numerous projects have been completed on Cherry Creek and the watershed has experienced significant growth. The Mile High Flood District and local government partners desire to update this document to reflect the projects that have been completed, set priorities for projects moving forward and also incorporate standards of practice that have evolved.

FINANCIAL IMPACT

This project is included in the Stormwater Division's 2019 approved budget for \$20,000.

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

1. Ordinance No. 9.302

RECOMMENDED MOTION

I move to approve Ordinance No. 9.302 on first reading and to schedule second reading for November, 18, 2019, as part of the consent agenda.

ORDINANCE NO. 9.302, Series of 2019

TITLE: A BILL FOR AN ORDINANCE APPROVING THE AGREEMENT REGARDING FUNDING OF MAJOR DRAINAGEWAY PLANNING FOR CHERRY CREEK UPSTREAM OF CHERRY CREEK RESERVOIR BY AND BETWEEN URBAN DRAINAGE AND FLOOD CONTROL DISTRICT d/b/a MILE HIGH FLOOD DISTRICT, SOUTHEAST METRO STORMWATER AUTHORITY, TOWN OF PARKER, AND DOUGLAS COUNTY

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. The Town Council of the Town of Parker hereby approves the Agreement Regarding Funding of Major Drainageway Planning for Cherry Creek Upstream of Cherry Creek Reservoir by and between Urban Drainage and Flood Control District d/b/a Mile High Flood District, Southeast Metro Stormwater Authority, Town of Parker, and Douglas County, which is attached hereto as **Exhibit 1** and incorporated herein by this reference, and authorizes the Mayor of the Town to enter into the Agreement on behalf of the Town.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2019.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2019.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

AGREEMENT REGARDING FUNDING OF MAJOR DRAINAGEWAY PLANNING FOR CHERRY CREEK UPSTREAM OF CHERRY CREEK RESERVOIR

Agreement No. 19-09.14
Project No. 107701
Agreement Amount \$130,000

THIS AGREEMENT, by and between URBAN DRAINAGE AND FLOOD CONTROL DISTRICT d/b/a MILE HIGH FLOOD DISTRICT (hereinafter called "DISTRICT"), SOUTHEAST METRO STORMWATER AUTHORITY (hereinafter called "SEMSWA"), TOWN OF PARKER (hereinafter called "PARKER"), and DOUGLAS COUNTY (hereinafter called "DOUGLAS"); (hereinafter SEMSWA, PARKER, and DOUGLAS shall be collectively known as "PROJECT SPONSORS" and DISTRICT and PROJECT SPONSORS shall be collectively known as "PARTIES");

WITNESSETH THAT:

WHEREAS, DISTRICT in a policy statement previously adopted (Resolution No. 14, Series of 1970), expressed an intent to assist public bodies which have heretofore enacted floodplain zoning measures; and

WHEREAS, DISTRICT has previously established a Work Program for 2019 (Resolution No. 67, Series of 2018) which includes master planning; and

WHEREAS, PARTIES now desire to proceed with development of a drainageway master plan report for Cherry Creek upstream of Cherry Creek Reservoir (hereinafter called "PROJECT"); and

WHEREAS, DISTRICT's Board of Directors has authorized DISTRICT financial participation for PROJECT (Resolution No. 49, Series of 2019); and

WHEREAS, PARTIES desire to engage an engineer to render certain technical and professional advice and to compile information, evaluate, study, and recommend design solutions to such drainage problems for PROJECT which are in the best interest of PARTIES.

NOW, THEREFORE, in consideration of the mutual promises contained herein, PARTIES hereto agree as follows:

1. **SCOPE OF AGREEMENT**

This Agreement defines the responsibilities and financial commitments of PARTIES with respect to PROJECT.

2. **PROJECT AREA**

DISTRICT shall engage an engineer, as needed, to perform or supply necessary services in connection with and respecting the planning of PROJECT of the area and watershed shown on the attached Exhibit A dated June 2019, (hereinafter called "AREA").

3. SCOPE OF PROJECT

The purpose of PROJECT is to define and document baseline data, identify areas of concern for stream stabilization and corresponding mitigation measures, determine channel forming flows, recommend restoration by stream flow stages, prepare a vegetation management plan, recommend recreation enhancements, identify fluvial hazards and sediment transport issues, and associated risks to stream and watershed health. The plan will also update stream gauge data and incorporate water quality modeling supported by the Cherry Creek Basin Water Quality Authority.

Conceptual-level costs will be developed for project alternatives. A final recommended plan will be developed for Cherry Creek upstream of the Cherry Creek Reservoir. The plan will also include guidance on recommended monitoring to determine project success.

4. PUBLIC NECESSITY

PARTIES agree that the work performed pursuant to this Agreement is necessary for the health, safety, comfort, convenience, and welfare of all the people of the State, and is of particular benefit to the inhabitants of PARTIES and to their property therein.

5. PROJECT COSTS

PARTIES agree that for the purposes of this Agreement PROJECT costs shall consist of, and be limited to, mapping, master planning, and related services and contingencies mutually agreeable to PARTIES. Project costs are estimated not to exceed \$130,000.

6. FINANCIAL COMMITMENTS OF PARTIES

PARTIES shall each contribute the following percentages and maximum amounts for PROJECT costs as defined in Paragraphs 5:

	Master Plan	Maximum
	<u>Percentage Share</u>	<u>Contribution</u>
DISTRICT	50.00%	\$65,000
SEMSWA	23.08%	\$30,000
PARKER	15.38%	\$20,000
<u>DOUGLAS</u>	<u>11.54%</u>	<u>\$15,000</u>
TOTAL	100.00%	\$130,000

Each PARTY'S payment obligation, whether direct or contingent, extends only to funds appropriated annually by each PARTY'S governing body, paid into the treasury of that PARTY, and encumbered for the purpose of this AGREEMENT. Each PARTY does not by this Agreement irrevocably pledge present cash reserves for payment or performance in future fiscal years. This Agreement does not and is not intended to create a multiple-fiscal year direct or indirect debt or financial obligation of each PARTY.

7. MANAGEMENT OF FINANCES

As set forth in DISTRICT policy (Resolution No. 11, Series of 1973, Resolution No. 49, Series of 1977, and Resolution No. 37, Series of 2009), the funding of a local body's one-half share may

come from its own revenue sources or from funds received from state, federal or other sources of funding without limitation and without prior DISTRICT approval.

Payment of each party's full share (SEMSWA - \$30,000; PARKER - \$20,000; DOUGLAS - \$15,000; DISTRICT - \$65,000) shall be made to DISTRICT subsequent to execution of this Agreement and within 30 days of request for payment by DISTRICT. The payments by PARTIES shall be held by DISTRICT in a special fund to pay for increments of PROJECT as authorized by PARTIES, and as defined herein. DISTRICT shall provide a periodic accounting of PROJECT funds as well as a periodic notification to COUNTY of any unpaid obligations. Any interest earned by the monies contributed by PARTIES shall be accrued to the special fund established by DISTRICT for PROJECT and such interest shall be used only for PROJECT upon approval by the contracting officers (Paragraph 13).

Within one year of completion of PROJECT if there are monies including interest earned remaining which are not committed, obligated, or disbursed, each party shall receive a share of such monies, which shares shall be computed as were the original shares; or, at COUNTY request, COUNTY share of remaining monies shall be transferred to another special fund held by DISTRICT.

8. PROJECT MAPPING

No new mapping is anticipated under this Agreement for PROJECT. Upon execution of this Agreement, PROJECT SPONSORS shall provide copies of the most recent mapping within their jurisdictional area in digital format to DISTRICT to the extent such mapping is available without additional cost.

9. MASTER PLANNING

Upon execution of this Agreement, PARTIES shall select an engineer mutually agreeable to PARTIES. DISTRICT, with the approval of PROJECT SPONSORS, shall contract with the selected engineer, shall administer the contract, and shall supervise and coordinate the planning for the development of alternatives and of conceptual design.

10. PUBLISHED REPORTS AND PROJECT DATA

DISTRICT will provide to each of PROJECT SPONSORS access to the draft and final electronic FHAD report files and draft and final electronic report files.

Upon completion of PROJECT, electronic files of all mapping, drawings, and hydrologic and hydraulic calculations developed by the engineer contracted for PROJECT shall be provided to any PROJECT SPONSORS requesting such data.

11. TERM OF THE AGREEMENT

The term of this Agreement shall commence upon execution by all PARTIES and shall terminate two years after the final master planning report is delivered to DISTRICT and the final accounting of funds on deposit at DISTRICT is provided to all PARTIES pursuant to Paragraph 7 herein.

12. LIABILITY

Each party hereto shall be responsible for any suits, demands, costs or actions at law resulting from its own acts or omissions and may insure against such possibilities as appropriate.

13. CONTRACTING OFFICERS

- A. The contracting officer for SEMSWA shall be the Executive Director, 7437 South Fairplay Street, Centennial, Colorado 80112-4486.
- B. The contracting officer for PARKER shall be the Public Works and Engineering Director, 20120 East Mainstreet, Parker, Colorado 80138.
- C. The contracting officer for DOUGLAS shall be the County Engineer, 100 Third Street, Castle Rock, Colorado 80104.
- D. The contracting officer for DISTRICT shall be the Executive Director, 2480 West 26th Avenue, Suite 156B, Denver, Colorado 80211.
- E. The contracting officers for PARTIES each agree to designate and assign a PROJECT representative to act on the behalf of said PARTIES in all matters related to PROJECT undertaken pursuant to this Agreement. Each representative shall coordinate all PROJECT-related issues between PARTIES, shall attend all progress meetings, and shall be responsible for providing all available PROJECT-related file information to the engineer upon request by DISTRICT or PROJECT SPONSOR. Said representatives shall have the authority for all approvals, authorizations, notices, or concurrences required under this Agreement. However, in regard to any amendments or addenda to this Agreement, said representative shall be responsible to promptly obtain the approval of the proper authority.

14. RESPONSIBILITIES OF PARTIES

DISTRICT shall be responsible for coordinating with PROJECT SPONSORS the information developed by the various consultants hired by DISTRICT and for obtaining all concurrences from PROJECT SPONSORS needed to complete PROJECT in a timely manner. PROJECT SPONSORS agree to review all draft reports and to provide comments within 21 calendar days after the draft reports have been provided by DISTRICT to PROJECT SPONSORS. PROJECT SPONSORS also agree to evaluate the alternatives presented in the alternatives analysis sections of the report, to select an alternative, and to notify DISTRICT of their decision(s) within 30 calendar days after the alternatives analysis report is provided to PROJECT SPONSORS by DISTRICT.

15. AMENDMENTS

This Agreement contains all of the terms agreed upon by and among PARTIES. Any amendments to this Agreement shall be in writing and executed by PARTIES hereto to be valid and binding.

16. SEVERABILITY

If any clause or provision herein contained shall be adjudged to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, such invalid or unenforceable clause or provision shall not affect the validity of the Agreement as a whole and all other clauses or provisions shall be given full force and effect.

17. APPLICABLE LAWS

This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado. Jurisdiction for any and all legal actions regarding this Agreement shall be in the State of Colorado and venue for the same shall lie in the counties where Project is located.

18. ASSIGNABILITY

No party to this Agreement shall assign or transfer any of its rights or obligations hereunder without the prior written consent of the nonassigning party or parties to this Agreement.

19. BINDING EFFECT

The provisions of this Agreement shall bind and shall inure to the benefit of PARTIES hereto and to their respective successors and permitted assigns.

20. ENFORCEABILITY

PARTIES hereto agree and acknowledge that this Agreement may be enforced in law or in equity, by decree of specific performance or damages, or such other legal or equitable relief as may be available subject to the provisions of the laws of the State of Colorado.

21. TERMINATION OF AGREEMENT

This Agreement may be terminated upon thirty (30) days' written notice by any party to this Agreement, but only if there are no contingent, outstanding contracts. If there are contingent, outstanding contracts, this Agreement may only be terminated upon the cancellation of all contingent, outstanding contracts. All costs associated with the cancellation of the contingent contracts shall be shared between PARTIES in the same ratio(s) as were their contributions.

22. PUBLIC RELATIONS

It shall be at PROJECT SPONSOR's sole discretion to initiate and to carry out any public relations program to inform the residents in PROJECT area as to the purpose of PROJECT and what impact it may have on them. Technical information shall be presented to the public by the selected engineer. In any event DISTRICT shall have no responsibility for a public relations program, but shall assist PROJECT SPONSOR as needed and appropriate.

23. GOVERNMENTAL IMMUNITIES

The PARTIES hereto intend that nothing herein shall be deemed or construed as a waiver by any PARTY of any rights, limitations, or protections afforded to them under the Colorado Governmental Immunity Act (§ 24-10-101, *et seq.*, C.R.S.) as now or hereafter amended or otherwise available at law or equity.

24. NO DISCRIMINATION IN EMPLOYMENT

In connection with the performance of work under this Agreement, PARTIES agree not to refuse to hire, discharge, promote or demote, or to discriminate in matters of compensation against any person otherwise qualified on the basis of race, color, ancestry, creed, religion, national origin, gender, age, military status, sexual orientation, marital status, or physical or mental disability and further agrees to insert the foregoing provision in all subcontracts hereunder.

25. APPROPRIATIONS

Notwithstanding any other term, condition, or provision herein, each and every obligation of PROJECT SPONSORS and/or DISTRICT stated in this Agreement is subject to the requirement of a prior appropriation of funds therefore by the appropriate governing body of each PROJECT SPONSOR and/or DISTRICT.

26. NO THIRD PARTY BENEFICIARIES

It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to PARTIES, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other or third person on such Agreement. It is the express intention of PARTIES that any person or party other than any one of PROJECT SPONSORS or DISTRICT receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

27. ILLEGAL ALIENS

- A. PARTIES agree that any public contract for services executed as a result of this intergovernmental agreement shall prohibit the employment of illegal aliens in compliance with §8-17.5-101 C.R.S. *et seq.* The following language shall be included in any contract for public services:
1. At the time of execution of this Agreement, CONTRACTOR does not knowingly employ or contract with an illegal alien who will perform work under this Agreement.
 2. CONTRACTOR shall participate in the E-Verify Program, as defined in § 8 17.5-101(3.7), C.R.S., to confirm the employment eligibility of all employees who are newly hired for employment to perform work under this Agreement.
 3. CONTRACTOR shall not knowingly employ or contract with an illegal alien to perform work under this Agreement.
 4. CONTRACTOR shall not enter into a contractor with a subconsultant or subcontractor that fails to certify to CONTRACTOR that it shall not knowingly employ or contract with an illegal alien to perform work under this Agreement.
 5. CONTRACTOR shall confirm the employment eligibility of all employees who are newly hired for employment to perform work under this Agreement through participation in the E-Verify Program.
 6. CONTRACTOR is prohibited from using the E-Verify Program procedures to undertake pre-employment screening of job applicants while performing its obligation under this Agreement, and that otherwise requires CONTRACTOR to comply with any and all federal requirements related to use of the E-Verify Program including, by way of example, all program requirements related to employee notification and preservation of employee rights.
 7. If CONTRACTOR obtains actual knowledge that a subconsultant or subcontractor performing work under this Agreement knowingly employs or contract with an illegal

alien, it will notify such subconsultant or subcontractor and PARTIES within three (3) days. CONTRACTOR shall also then terminate such subconsultant or subcontractor if within three (3) days after such notice the subconsultant or subcontractor does not stop employing or contracting with the illegal alien, unless during such three (3) day period the subconsultant or subcontractor provides information to establish that the subconsultant or subcontractor has not knowingly employed or contracted with an illegal alien.

8. CONTRACTOR shall comply with any reasonable request made in the course of an investigation by the Colorado Department of Labor and Employment under authority of § 8-17.5-102(5), C.R.S.
9. CONTRACTOR shall, within twenty days after hiring an employee who is newly hired for employment to perform work under this Agreement, affirms that it has examined the legal work status of such employees, retained file copies of the documents required by 8 U.S.C. Section 1324a, and not altered or falsified the identification documents for such employees. CONTRACTOR shall provide a written, notarized copy of the affirmation to PARTIES.

28. EXECUTION IN COUNTERPARTS – ELECTRONIC SIGNATURES

This Agreement, and all subsequent documents requiring the signatures of PARTIES to this Agreement, may be executed in two or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. PARTIES approve the use of electronic signatures for execution of this Agreement, and all subsequent documents requiring the signatures of PARTIES to this Agreement. Only the following two forms of electronic signatures shall be permitted to bind PARTIES to this Agreement, and all subsequent documents requiring the signatures of PARTIES to this Agreement.

- A. Electronic or facsimile delivery of a fully executed copy of a signature page; or
 - B. The image of the signature of an authorized signer inserted onto PDF format documents.
- Documents requiring notarization may also be notarized by electronic signature, as provided above. All use of electronic signatures shall be governed by the Colorado Uniform Electronic Transactions Act, §§ 24-71.3-101-121, C.R.S.

WHEREFORE, PARTIES hereto have caused this instrument to be executed by properly authorized signatories as of the date and year written below.

URBAN DRAINAGE AND
FLOOD CONTROL DISTRICT d/b/a
MILE HIGH FLOOD DISTRICT

By_____

Name Ken A. MacKenzie

Title Executive Director

Date_____

Checked By

SOUTHEAST METRO
STORMWATER AUTHORITY

By_____

Name_____

Title_____

Date_____

TOWN OF PARKER

(SEAL)

By _____
Mike Waid

ATTEST:

Title Mayor

Carol Baumgartner, Town Clerk

Date _____

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS

ATTEST:

By: _____
Roger A. Partridge, Chair

Date _____

Emily Wrenn, Clerk to the Board

APPROVED AS TO CONTENT:

Douglas J. DeBord, County Manager

APPROVED AS TO FISCAL CONTENT:

Andrew Copland, Director of Finance

APPROVED AS TO LEGAL FORM:

Christopher Pratt, Senior Asst. County Attorney

AGREEMENT REGARDING FUNDING OF
MAJOR DRAINAGEWAY PLANNING FOR
CHERRY CREEK UPSTREAM OF CHERRY CREEK RESERVOIR

Agreement No. 19-09.14
Project No. 107701
Agreement Amount \$130,000

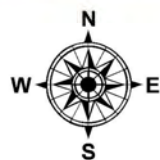
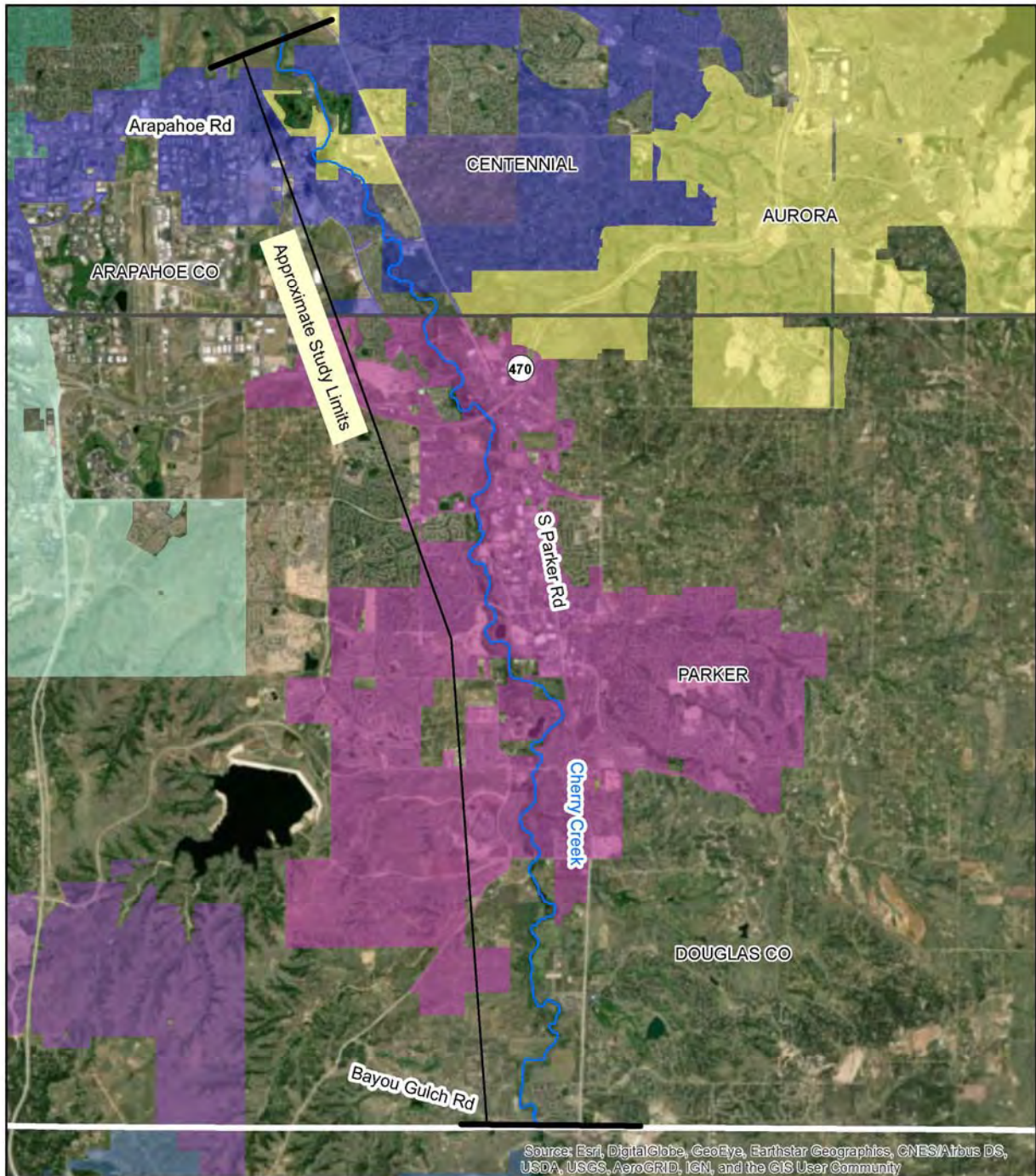


EXHIBIT A
Cherry Creek (U/S of Reservoir) MDP
Approximate Study Limits
June 2019



Request for Town Council Action

Date: November 4, 2019

Submitted By: Andy Coleman, Commander

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 19-090**
A Resolution to Amend Resolution 14-028, Series of 2014,
Concerning the Town of Parker, Colorado, Policy for Access
to Criminal Justice Records

Department: Police, Commander Andrew Coleman

EXECUTIVE SUMMARY

The Records Division of the Police Department is proposing a fee increase to the fee schedule for records requests that specifically relates to audio and video recordings.

Criminal justice records requests are different from Open Records requests and are governed by Colorado Revised Statute 24-72-306 (the "Act"). Criminal justice agencies such as the Parker Police Department (the "Department") may assess reasonable fees, not to exceed actual costs, including but not limited to personnel and equipment, for the search, retrieval, and redaction of criminal justice records requested pursuant to the Act and may waive fees at their discretion. In addition, criminal justice agencies may charge a fee not to exceed twenty-five cents per standard page for a copy of a criminal justice record or a fee not to exceed the actual cost of providing a copy, printout or photograph of a criminal justice record in a format other than a standard page. Where fees for certified copies or other copies, printouts, or photographs of criminal justice records are specifically prescribed by law, such specific fees shall apply to this type of records request.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The amount of time required to process records requests for audio and video recordings is significant. The Media Duplication Technician of the Department must listen to, and watch, every minute of the applicable recording to ensure redactions are made, if needed. When redactions are needed, this increases the production time of the request by fifteen (15) to twenty

(20) minutes per recording.

The Department's current fee schedule charges \$10 for the first of hour of research for both audio and video requests and \$30 per hour for each additional hour. Staff is requesting the fees be increased to a flat \$30 per hour for both audio and video requests to reflect the cost to the Department. The proposed fee increase is within reason and is comparable to fees charged by surrounding agencies.

FINANCIAL IMPACT

There are no negative financial impacts associated with this fee increase request. The Police Department's Records division processes roughly 25 hours of audio or video records requests on a monthly basis. Approval of the new fee schedule could generate approximately \$750/month in revenue or \$9,000 annually.

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY

ATTACHMENTS

1. Resolution No. 19-090

RECOMMENDED MOTION

I move to approve Resolution No. 19-090, as part of the consent agenda.

RESOLUTION NO. 19-090, Series of 2019

TITLE: A RESOLUTION TO AMEND RESOLUTION 14-028, SERIES OF 2014, CONCERNING THE TOWN OF PARKER, COLORADO, POLICY FOR ACCESS TO CRIMINAL JUSTICE RECORDS

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council of the Town of Parker hereby amends the Town of Parker, Colorado, Policy for Access to Criminal Justice Records, which is attached hereto as **Exhibit 1** and incorporated by this reference.

RESOLVED AND PASSED this ____ day of _____, 2019.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT 1

TOWN OF PARKER COLORADO POLICY FOR ACCESS TO CRIMINAL JUSTICE RECORDS

This policy is to protect and control Town of Parker Criminal Justice records, as allowed by C.R.S. § 24-72-306, and to define the method by which the legal obligation of the Town to provide public access to its records and requests for information will be handled. The following guidelines will dictate the answering of all public information requests:

1. Requests for information must be in writing and must be specific as to the information desired.
2. All requests for information must be directed to the Chief of Police or designee.
3. Records must be viewed under the supervision of the Chief of Police or designee at the Police Department and may not be removed from the Police Department.
4. Records will be retrieved and refiled only by the Chief of Police or designee.
5. Records may be removed from file folders or places of storage for photocopying only by the Chief of Police or designee.
6. Photocopies of records will be provided at \$.25 per page for documents not to exceed 8½ x 11 inches; \$2.00 for each photograph; \$10.00 for each photo disk; ~~and \$10.00~~ **\$30.00 per hour** for each video/audio recording; **and \$5.00 per hour for each police report/location history search.**
7. Information requests will not take priority over previously scheduled work activities of the Town.
8. The Town reserves the right to levy a reasonable fee for personnel and equipment, for research and retrieval, including time spent segregating confidential information and privileged materials, and copying services (the "Services"). The amount of the fee for research and retrieval is thirty dollars (\$30.00) per hour. The fee, as estimated by the Chief of Police or designee, shall be paid prior to commencement of any Services.
9. Records are available for public inspection during normal working hours, provided that an appointment has been made with the Chief of Police or designee at least three (3) business days in advance, subject to compliance with paragraph 1 above.
10. The Town may withhold records which contain confidential information, privileged materials, or that are protected from disclosure by any other statute or rule of any court.

The foregoing Policy for Access to Criminal Justice Records was approved by the Town Council of the Town of Parker at a regular Town Council meeting held on November 4, 2019, by Resolution No. 19-090.



Request for Town Council Action

Date: November 4, 2019

Submitted By: Carolyn Washee-Freeland, Associate Planner
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 19-094**
A Resolution to Adopt the Town of Parker, Colorado, 2019
Three-Mile Area Plan

Department: **Community Development, Carolyn**
Washee-Freeland

EXECUTIVE SUMMARY

The Colorado Municipal Annexation Act of 1965, C.R.S. 31-12-105 et. seq., requires that municipalities prepare and adopt a Three-Mile Area Plan prior to annexing property into their territorial boundaries. The Town of Parker prepares an updated Three-Mile Area Plan annually to comply with State law and support on-going annexation activity. The Plan identifies unincorporated land that is located within three miles of Town boundaries, depicts the Town's Planning Area (former Urban Growth Area) and incorporates reference information for service provision.

The Planning Commission held a public hearing on October 10, 2019 and recommended Town Council approve the proposed 2019 Three-Mile Area Plan.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town of Parker actively pursues annexation opportunities and the 2019 Three-Mile Area Plan has been prepared to comply with the Municipal Annexation Act of 1965. The primary purpose of the Plan under State statute is to identify areas for potential annexation within three (3) miles of existing municipal boundaries and to require municipalities to consider how they will provide services if these areas are annexed. The Annexation Act, at C.R.S. 31-12-105(e)I, provides that:

Prior to the completion of any annexation within the three-mile area, the municipality shall have in place a plan for that area that generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation and power to be provided by the municipality and the proposed land uses for the area.

Overview of 2019 Three-Mile Area Plan

Town staff has updated the previously adopted Three-Mile Area Plan to address the requirements as outlined in the Colorado Revised Statute Section 31-12-105(e)(I), regarding unincorporated lands located within three (3) miles of the Town's current municipal boundaries. The total unincorporated land within the three-mile boundary is approximately 49,753 acres or 77.74 square miles. The 2019 Plan has eight (8) components as follows:

1. Introduction
2. Overview of Sub-Areas
3. Transportation
4. Parks, Natural Areas and Open Land Related Items
5. Utilities and Related Items
6. Proposed Land Uses
7. Enclaves Located within Parker
8. Map Exhibits

The changes found in the 2019 Plan include minor revisions to the map exhibits. In addition, the Plan also references planning documents from the Town and surrounding jurisdictions. It complies with State statute and if adopted will support the Town's annexation activities in 2020.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. Resolution No. 19-094
2. Planning Commission Staff Report

RECOMMENDED MOTION

I move to approve Resolution No. 19-094, as part of the consent agenda.

RESOLUTION NO. 19-094, Series of 2019

**TITLE: A RESOLUTION TO ADOPT THE TOWN OF PARKER, COLORADO,
THREE-MILE AREA PLAN**

WHEREAS, the Municipal Annexation Act of 1965 provides that municipalities need a three-mile area plan (the "Plan");

WHEREAS, the Plan should generally describe the proposed location, character and extent of roads, bridges, parks, open spaces, public utilities and transportation facilities within the three-mile plan area; and

WHEREAS, the Municipal Annexation Act of 1965 requires the Plan to be updated at least once annually.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council of the Town of Parker hereby adopts the Three-Mile Area Plan, which is attached hereto as **Exhibit 1** and incorporated by this reference.

RESOLVED AND PASSED this ____ day of _____, 2019.

TOWN OF PARKER, COLORADO

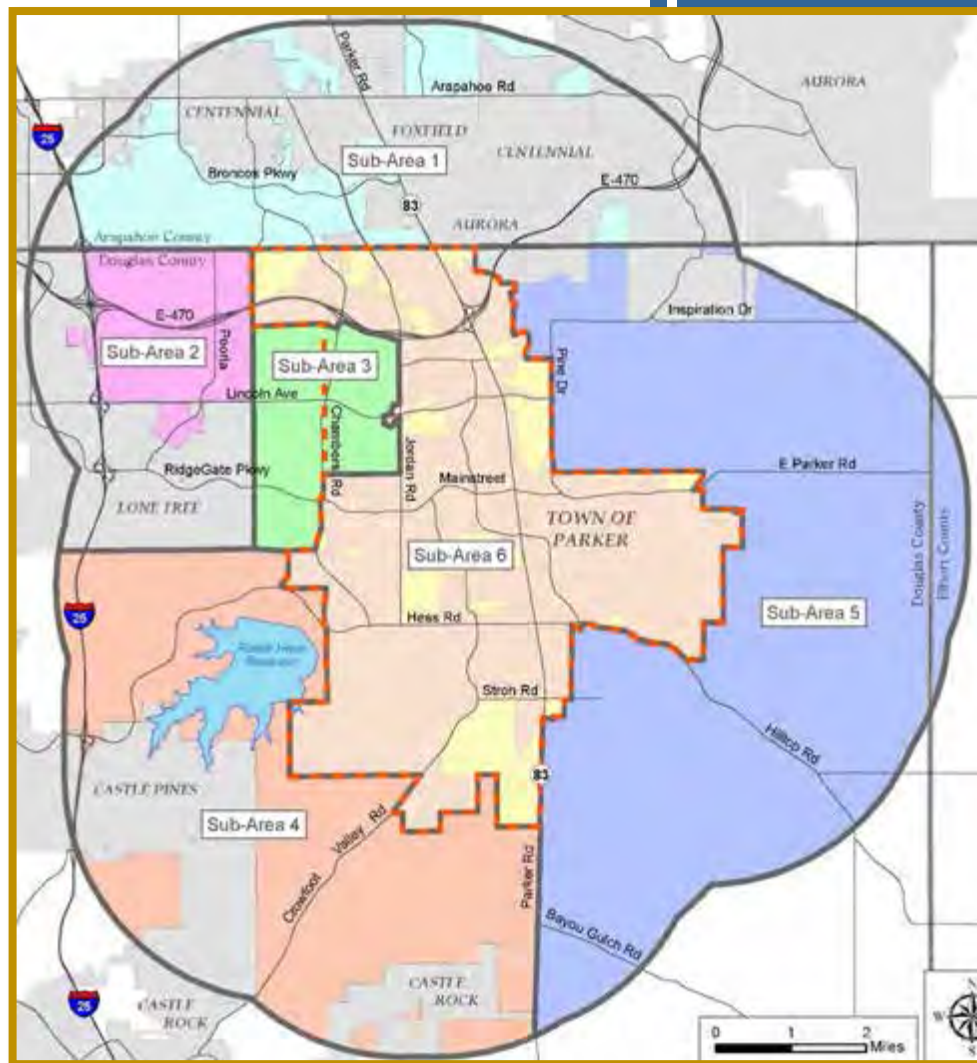
Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk



2019 Three-Mile Area Plan for the Town of Parker, Colorado



Updated: November 2019

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Map 6 – County Zoning	

I. Introduction

Purpose

The Three-Mile Area Plan is a policy document developed to comply with the Municipal Annexation Act of 1965. The purpose of this Plan is to ensure the adequate provision of municipal services within newly annexed lands based on Section 31-12-105(e)(I) of the Colorado Revised Statutes which provides that:

“Prior to the completion of any annexation within the three-mile area, the municipality shall have in place a plan for that area that generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation and power to be provided by the municipality and the proposed land uses for the area.”

The Statute requires a municipality to adopt an annexation plan prior to the annexation of any land into the municipality. Parker’s Three-Mile Area Plan provides a general description of all unincorporated lands located within three miles of the Town’s municipal boundaries. The Town of Parker’s 2035 Master Plan, as amended, provides guidance on proposed land uses within the Town’s planning area. Proposed annexations should be consistent with the Town’s Master Plan and Three-Mile Area Plan.

Methodology

The methodology used to develop the Three-Mile Area Plan focused on the use of GIS mapping, data collection, and research of unincorporated lands located within the Town’s three-mile boundary. Parker’s three-mile boundary was then divided into six (6) Sub-Areas (see figure 1) to facilitate the analysis. Unincorporated lands located within each Sub-Area were examined to determine general character, land use, transportation, extent of infrastructure, open space, and parks and recreation, and are further defined on maps 1 through 6.

2019 Three-Mile Area Plan Town of Parker, Colorado

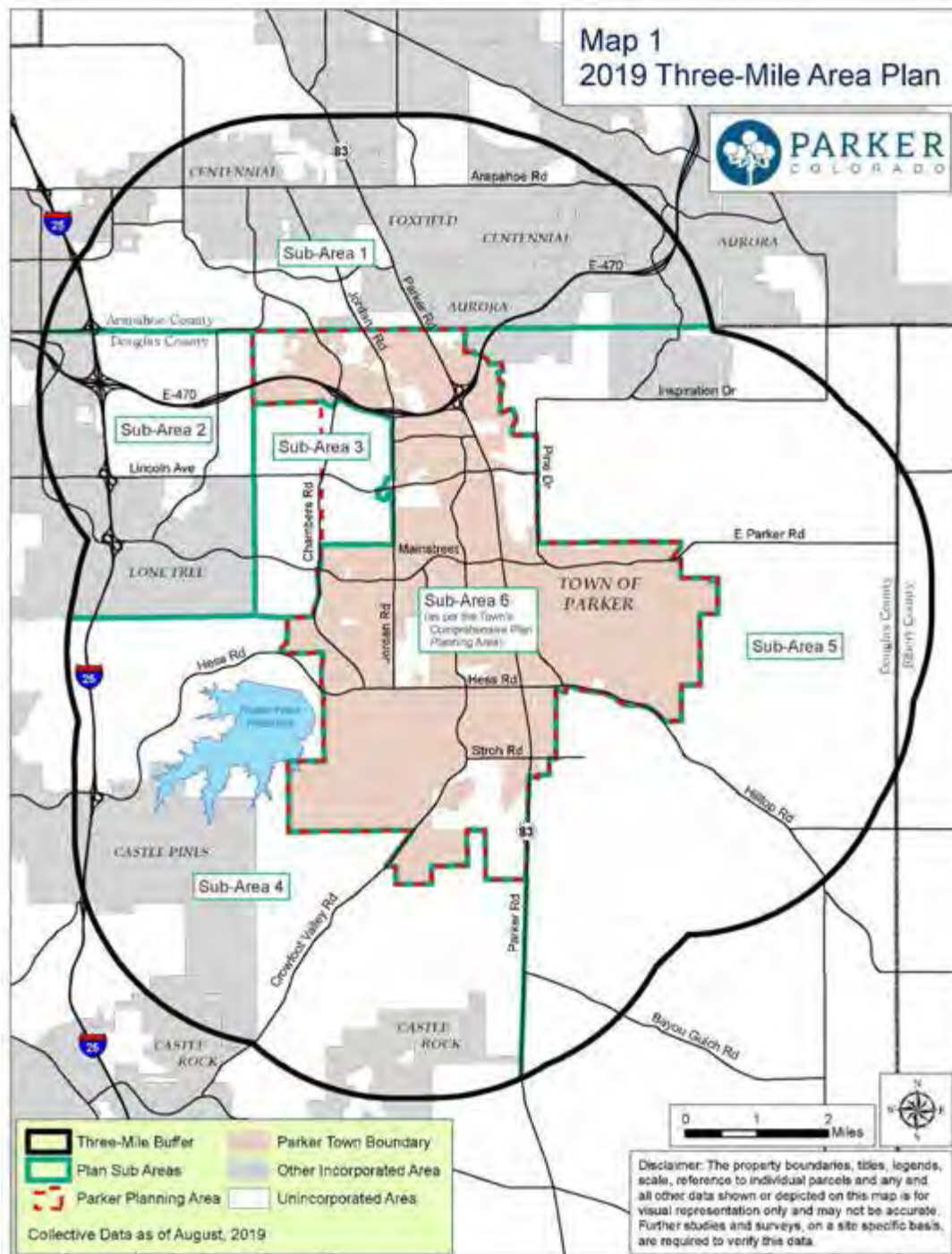


Figure 1 – Town of Parker Three-Mile Boundary – based on the Town’s Municipal Boundary

II. Overview of Sub-Areas

The land described in this Three-Mile Area Plan includes properties located in Douglas, Arapahoe, and Elbert Counties. The Three-Mile Area Plan boundary perimeters also encompass the municipal boundaries of the City of Lone Tree, City of Centennial, City of Foxfield, City of Aurora, Town of Castle Rock, and the City of Castle Pines. The general character of land ranges from rolling hills, high plains grasslands, bluffs, forest, as well as highly developed urban areas. In 2019, unincorporated lands within the three-mile boundary total approximately 49,753 acres or 77.74 square miles (see table 1).

Table 1 – Total acreage of all unincorporated land within Parker’s three-mile boundary (excludes any municipal lands)

Parker Three-Mile Area Plan Sub-Areas	Total Unincorporated Acreage
Sub-Area One	4,594
Sub-Area Two	2,954
Sub-Area Three	2,966
Sub-Area Four	12,859
Sub-Area Five	23,726
Sub-Area Six	2,654
Grand Total Acreage	49, 753

Relevant Plans, Policies and Other Documents

Parker’s Three-Mile Area Plan references plans, policies, maps and other documents that have been adopted by the Town of Parker and other jurisdictions within the Three-Mile Area Plan area. These plans, policies, maps and documents describe the proposed location, character and extent of specific infrastructure and development characteristics.

III. Transportation

The following documents relate to the transportation specific issues within the Plan area:

Streets, Bridges and Parkways

- Town of Parker 2035 Master Plan
- Town of Parker Mainstreet Master Plan
- Town of Parker Transportation Master Plan
- Town of Parker Bike Lane Plan
- Parker Complete Streets Policy
- Town of Parker Salisbury Estates Neighborhood Objective
- Douglas County Comprehensive Master Plan 2040
- Douglas County 2030 Transportation Plan
- Douglas County Comprehensive Bike Plan/Map
- Arapahoe County Comprehensive Plan
- Arapahoe County 2035 Transportation Plan
- Arapahoe County Bicycle/Pedestrian Master Plan
- City of Aurora Places Comprehensive Plan

- City of Castle Pines Comprehensive Plan
- City of Centennial Comprehensive Plan
- City of Centennial Transportation Master Plan
- City of Lone Tree Comprehensive Plan
- Town of Castle Rock 2030 Comprehensive Plan
- Town of Castle Rock Transportation Plan
- Elbert County Comprehensive Plan
- West Elbert County Transportation Master Plan

Transit Services and Terminals for Public Transportation

- Town of Parker Transit Feasibility Study
- Town of Parker Fixed Guideway Transit Study
- Regional Transportation District Southeast Corridor Service Plan
- DRCOG 2040 Metro Vision Regional Transportation Plan

Airport/Aviation Fields

The attached map entitled “Map 2: Transportation Facilities, Three-Mile Area Plan” locates the sole airport within the Plan, Centennial Airport. Airports and aviation fields are further referenced in Centennial Airport Authority’s Airport Influence Area (AIA) Map and Centennial Airport Land Use Guidelines.

Other Public Ways

- Town of Parker Open Space, Trails and Greenways Master Plan
- Town of Parker Parks, Recreation and Open Space Master Plan
- Douglas County Parks Trails and Open Space Plan
- Elbert County Open Lands, Parks and Trails Plan.

IV. Parks, Natural Areas, and Open Land Related Items

The following documents relate to issues regarding parks, natural areas, and open land related items within the Town of Parker and in unincorporated areas in the Plan:

Waterways

- The attached map entitled “Map 3: Significant Waterways, Three-Mile Area Plan” locates all significant waterways within the Plan area
- Cherry Creek Basin Open Space Conservation and Stewardship Plan
- Major Drainageway Plan from Cherry Creek Reservoir to Scott Road
- Reuter-Hess Reservoir 2016 Recreation Master Plan
- Town of Parker Municipal Code, 13.05.010 Floodplain Regulations
- Town of Parker Storm Drainage and Environmental Criteria Manual

Waterfronts

Any and all waterfronts associated with waterways within the Plan area.

Playgrounds, Squares and Parks

The attached map entitled “Map 4: Significant Parks, Three-Mile Area Plan Boundary” locates all significant parks within the Plan area.

Open Space

- Town of Parker Open Space, Trails and Greenways Master Plan
- Town of Parker Parks, Recreation and Open Space Master Plan
- Douglas County Parks Trails and Open Space Plan
- Elbert County Open Lands, Parks and Trails Plan
- Arapahoe County Open Space Master Plan

V. Utilities and Related Items

The following documents relate to issues regarding utilities and related items for the Plan:

Public Utilities*

- The attached map entitled “Map 5: Water and Sanitation Districts, Three-Mile Area Plan”
- Cottonwood Water and Sanitation District Plan
- Parker Water and Sanitation District Water and Sanitation Plan
- Stonegate Village Metro District Master Plan
- The Town of Parker does not provide any terminals for water, light, sanitation, transportation and power.

** Most water and sanitation districts located within the three-mile area have service plans that are not referenced in this plan. The Special District Control Act, requiring special districts to have a service plan, has been in existence since 1965 and was updated in 1981. Under C.R.S. § 32-1-208, Districts organized without a service plan are more or less deemed to have a service plan called a "statement of purposes." Districts with a "statement of purposes" for a service plan are not listed in this document.*

V. Proposed Land Uses

The following documents relate to issues regarding proposed land uses within the Town of Parker and in unincorporated areas in the Plan:

Land Uses defined within the Planning Area

- Town of Parker 2035 Master Plan
- Town of Parker Mainstreet Master Plan
- Douglas County Comprehensive Plan
- The attached map entitled “Map 6: County Zoning, Three-Mile Area Plan”

Land Use defined outside the Planning Area

- Douglas County Comprehensive Plan
- Arapahoe County Comprehensive Plan
- Elbert County Master Plan
- The attached map entitled “Map 6: County Zoning, Three-Mile Area Plan”

VI. Enclaves Located within Parker

Parker has unincorporated enclaves that are located entirely within the outer boundaries of the Town, within Douglas County. Predominant land uses for the enclaves are residential, rural residential, agricultural, outdoor storage, light industrial, landscape nursery, and farming activities. Each enclave is further described as follows.

List of Enclaves

Canyon Rim Circle & Chambers Road

Zoned: Planned Development

Land Use: Canyon Creek Condos Residential

Jordan Road & Acer Drive

Zoned: Planned Development (Cottonwood 11 Amendment 1)

Land Use: Single Family Residential

Jordon Road & Apache Plume Dr.

Zoned: Planned Development (Cottonwood 10B1st Amd)

Land Use: Single Family Residential

Jordon Road & Cottonwood Drive

Zoned: Planned Development (Cottonwood Mixed Commercial Industrial 1)

Land Use: Lt. Industrial, Residential, Open Space, a portion of the Cherry Creek Trail

Lincoln Avenue & Dransfeldt Road

Zoned: Agricultural One

Land Use: Residential (Peaslee Property)

Parker Road & Parkglenn Way

Zoned: Commercial (Parker Pro Park Amd 1 & Parker Professional Park)

Land Use: Commercial

Newlin Gulch Blvd & E. Meadow Vista Circle

Zoned: Agricultural One

Land Use: Vacant

Mainstreet & Newlin Gulch Blvd (North)

Zoned: Agricultural One

Land Use: Church Property

Hess Road, Jordan Road, Todd Drive & Motsenbocker Road

Zoned: Agricultural One, Rural Residential and Light Industrial

Land Use: Douglas County Public Works, Cherry Creek Highlands Large Lot Residential, Outdoor RV Storage and Garden/Nursery

Motsenbocker Road (North of Parker's Parks & Open Space facility)

Zoned: Agricultural One

Land Use: Landscaping Company

Twenty-Mile Road (west of Parker Road)

Zoned: Agricultural One

Land Use: Flat Acres Farm (Pope Property)

Motsenbocker Road & King Court

Zoned: Rural Residential

Land Use: Large Lot Residential (King Ranch Estates)

Hess Road & Pine Bluffs Way (on Cockriel Drive)

Zoned: Agricultural One

Land Use: Cockriel Boarding Stables

VII. Map Exhibits

Map 1 – Surrounding Jurisdictions

Map 2 – Transportation Facilities

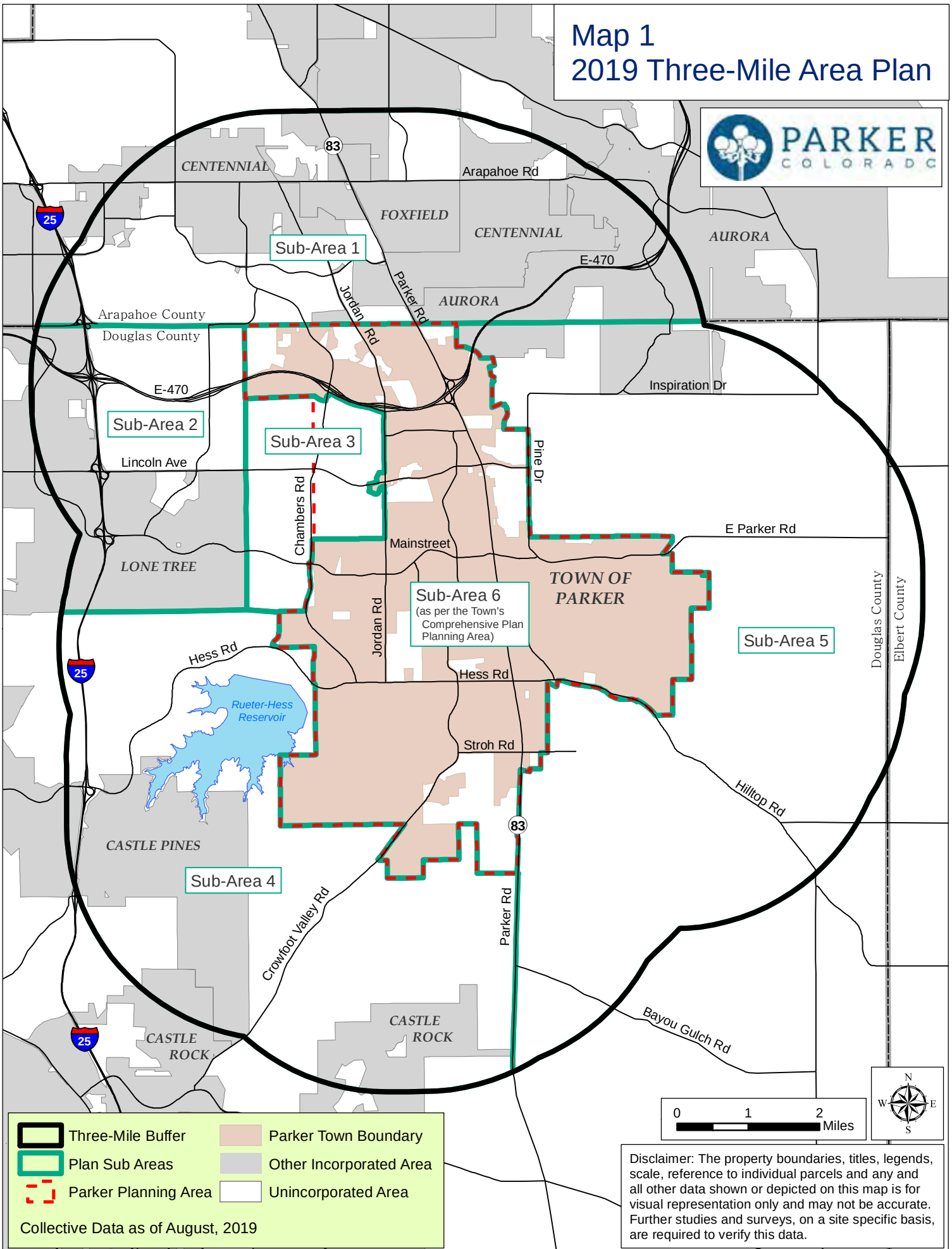
Map 3 – Significant Waterways

Map 4 – Significant Parks

Map 5 – Water and Sanitation Districts

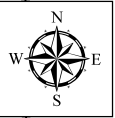
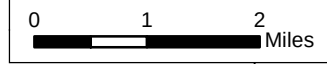
Map 6 – County Zoning

Map 1 2019 Three-Mile Area Plan



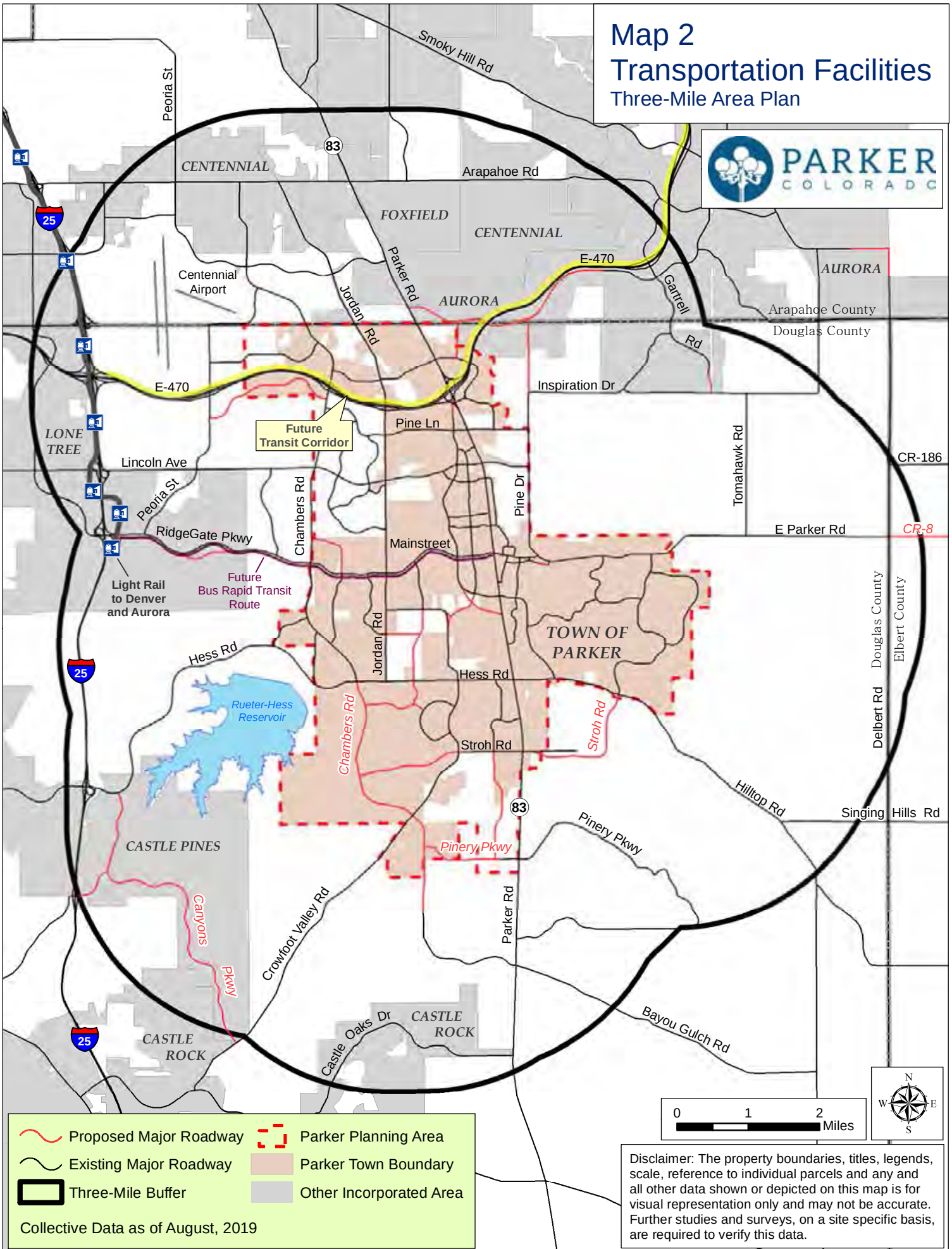
- | | |
|----------------------|-------------------------|
| Three-Mile Buffer | Parker Town Boundary |
| Plan Sub Areas | Other Incorporated Area |
| Parker Planning Area | Unincorporated Area |

Collective Data as of August, 2019

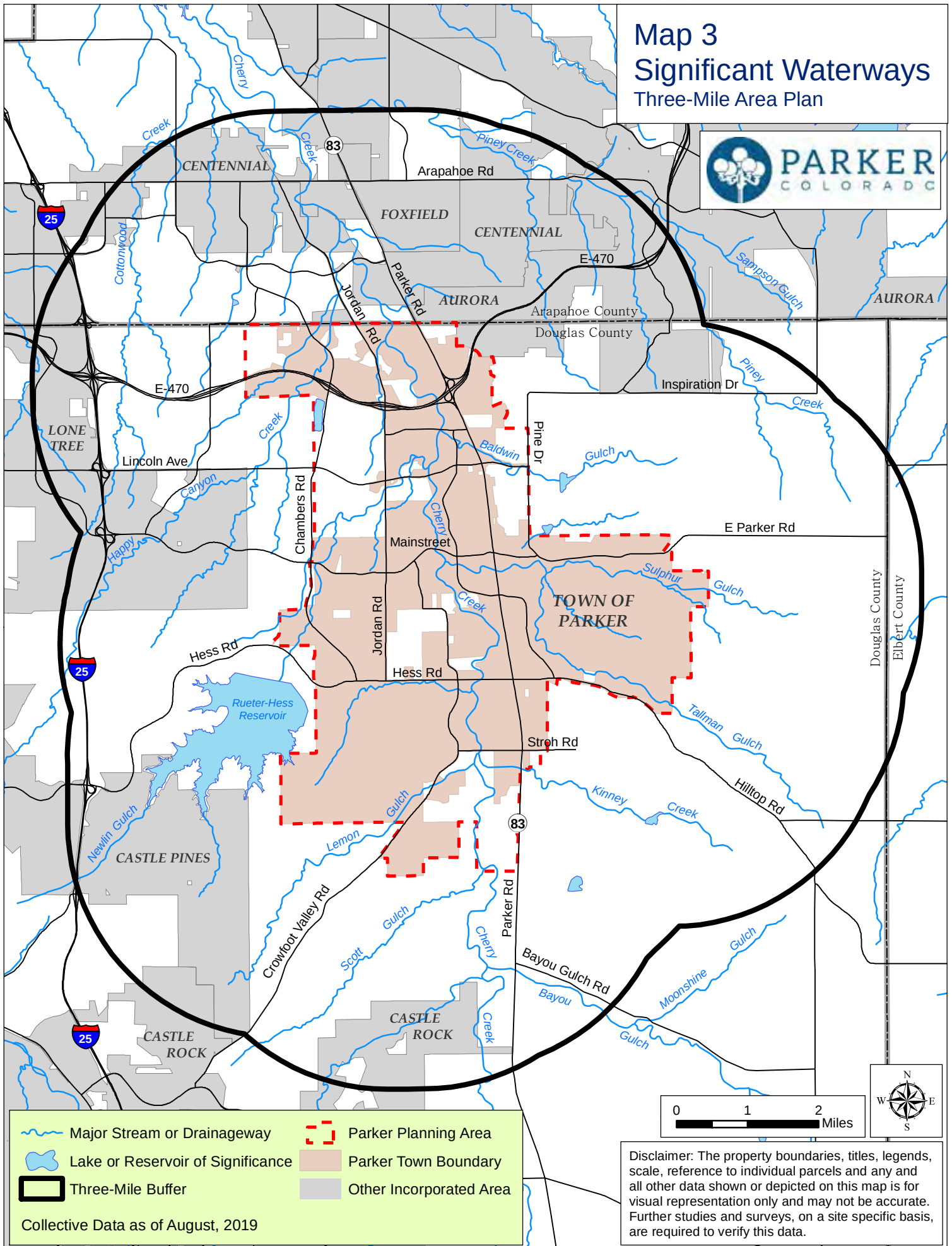


Disclaimer: The property boundaries, titles, legends, scale, reference to individual parcels and any and all other data shown or depicted on this map is for visual representation only and may not be accurate. Further studies and surveys, on a site specific basis, are required to verify this data.

Map 2 Transportation Facilities Three-Mile Area Plan



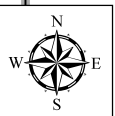
Map 3 Significant Waterways Three-Mile Area Plan



- Major Stream or Drainageway
- Lake or Reservoir of Significance
- Three-Mile Buffer
- Parker Planning Area
- Parker Town Boundary
- Other Incorporated Area

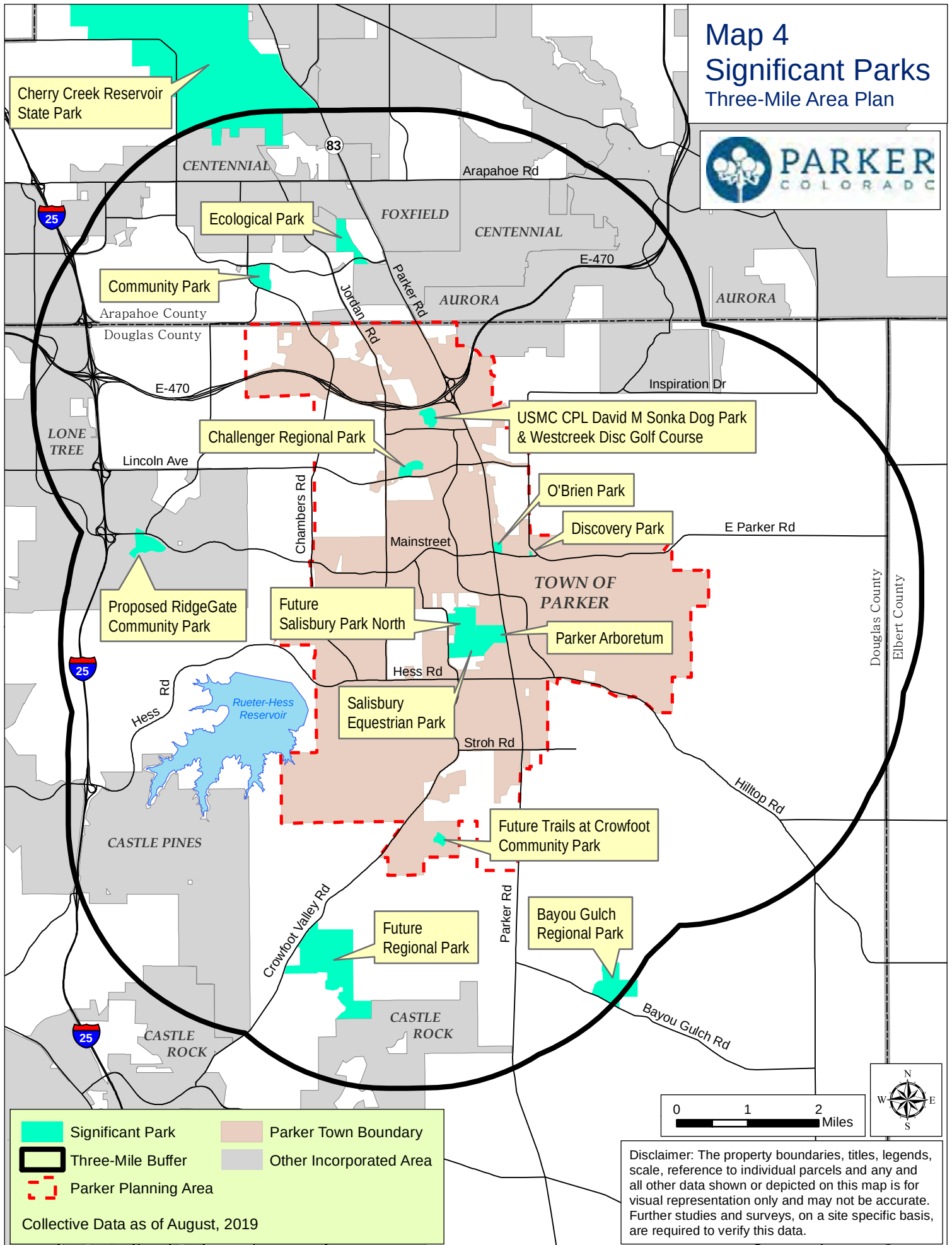
Collective Data as of August, 2019

0 1 2 Miles

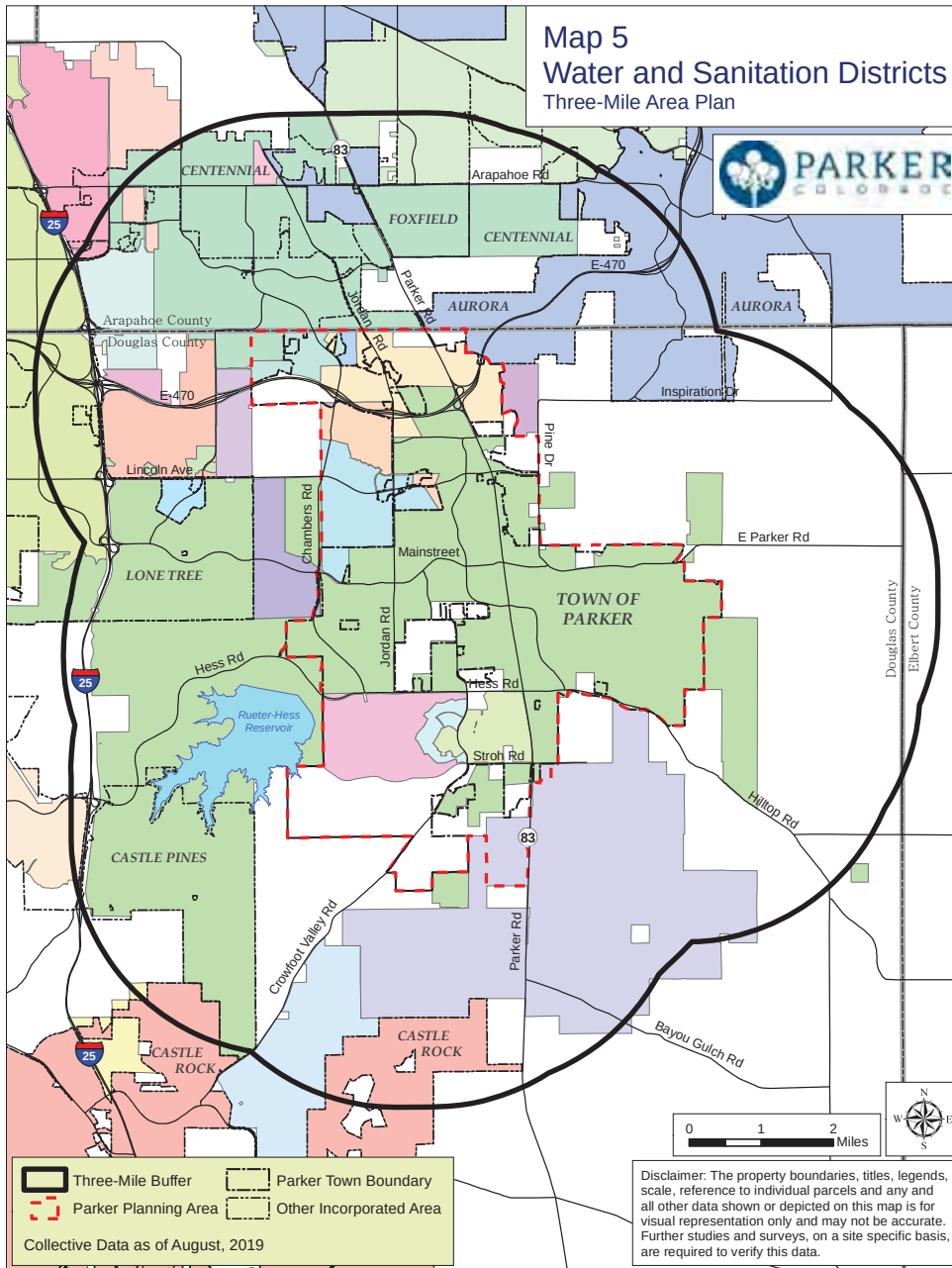


Disclaimer: The property boundaries, titles, legends, scale, reference to individual parcels and any and all other data shown or depicted on this map is for visual representation only and may not be accurate. Further studies and surveys, on a site specific basis, are required to verify this data.

Map 4 Significant Parks Three-Mile Area Plan

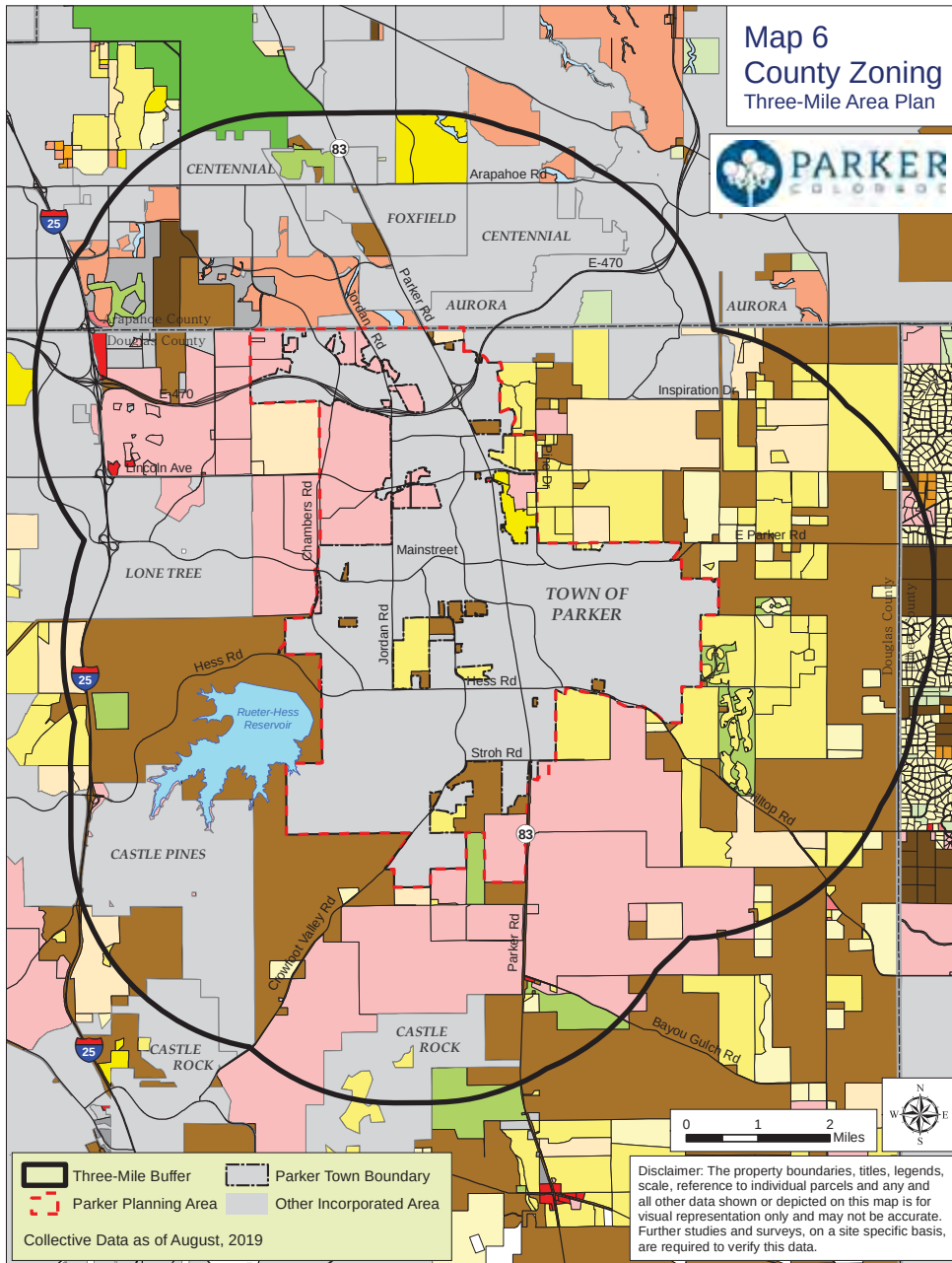


Map 5 Water and Sanitation Districts Three-Mile Area Plan



Water & Sanitation Districts

- Airport Vista Metro District 2
- Anthology West Metro District 2-6
- Arapahoe County Water & Wastewater Authority
- Aurora Water
- Castle Pines North Metro District
- Castlewood Water & Sanitation District A, B & D
- Cherry Creek South Metro District 1
- Cherry Creek South Metro District 4-11
- Compark Business Campus Metro
- Compark Business Campus Metro Dist Debt Svc 1 & 2
- Cottonwood Water & Sanitation District
- Crowfoot Valley Ranch Metro District 2
- Denver SE Suburban Water & Sanitation District
- E-470 Potomac Metro District
- East Cherry Creek Valley Water & Sanitation District
- East Valley Metro Water & Sanitation District
- Havana Water & Sanitation District
- Inverness Water & Sanitation District
- Inverness Water & Sanitation District Debt Service
- Inverness Water & Sanitation District Debt Svc 2
- Lincoln Park Metro District
- Lincoln Park Metro District Debt Service
- Meridian Metro Debt Service 1 & 2
- Meridian Metro District
- Meridian Village Metro District 1-4
- North Meridian Metro District
- Parker Water & Sanitation District
- Sierra Vista Douglas Mutual Water Co
- Silver Heights Water & Sanitation District
- South Meridian Metro District Debt Service 1-3
- Southgate Water District
- Stonegate Village Metro District
- Town of Castle Rock



Arapahoe County Zoning

- A-1 (Agriculture)
- A-2 (Agriculture)
- B-5 (Business)
- F (Floodplain)
- I-1 / I-1 PUD (Industrial)
- M-U PUD / MDP (Mixed Use)
- O (Office)
- R-1 (Residential)
- R-3 / R-3 PUD (Residential)
- R-4 / R-4 PUD (Residential)
- R-A (Residential - Agriculture)
- R-E (Residential - Estate)
- R-P / R-P PUD (Residential)
- R-PH (Residential - High Density)
- R-PM / R-PM PUD (Residential - Moderate Density)
- R-PSF (Residential - Single Family)
- U.S.A. (Federal Land)

Douglas County Zoning

- A1 (Agriculture)
- B (Business)
- C (Commercial)
- ER (Estate Residential)
- GI (General Industrial)
- LI (Light Industrial)
- LRR (Large Rural Residential)
- OS (Open Space)
- PD (Planned Development)
- RR (Rural Residential)
- SR (Suburban Residential)

Elbert County Zoning

- A (Agriculture)
- AR (Agriculture - Residential)
- B (Business)
- C (Commercial)
- PUD (Planned Unit Development)
- RA (Residential - Agriculture)
- RA-1 (Residential - Agriculture)
- ROW (Right-of-way)



Planning Commission Staff Report

Planning Commission Date: 10/10/2019

Town Council Date: 11/4/2019

Hearing Type: RESOLUTION NO. 19- 094
A Resolution to Adopt the 2019 Three-Mile Area Plan

Location: Town of Parker – Three-Mile Radius

Project Planner: Carolyn Washee-Freeland, Associate Planner

Applicant: Town of Parker

Executive Summary: The Town of Parker Three-Mile Area Plan (the ‘Plan’), was originally adopted by Town Council in 2006 and is a plan document developed to comply with the Municipal Annexation Act of 1965. State law requires that the Town update the Plan annually.

Staff Recommendation: Approval

RECOMMENDED MOTION

“I move the Planning Commission recommend Town Council adopt the Town of Parker’s 2019 Three-Mile Area Plan.”

ALTERNATIVE MOTIONS

“I move the Planning Commission recommend Town Council deny adoption of the Town of Parker’s 2019 Three-Mile Area Plan.”

“I move the Planning Commission vote to continue adoption of the Town of Parker’s 2019 Three-Mile Area Plan to a future date.”

I. BACKGROUND/DISCUSSION

The Plan was prepared for the purpose of complying with the Municipal Annexation Act of 1965 which is intended to ensure that municipalities are able to provide services in newly annexed areas. Section 31-12-105(e)(I) of the Colorado Revised Statutes provides that:

“Prior to the completion of any annexation within the three-mile area, the municipality shall have in place a plan for that area that generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation and power to be provided by the municipality and the proposed land uses for the area.”

Overview of 2019 Three-Mile Area Plan

The Plan was prepared to address the requirements as outlined in the Colorado Revised Statute Section 31-12-105(e)(I), regarding unincorporated lands located within three (3) miles of the Town's current municipal boundaries. The unincorporated land described in the Plan includes properties located in Douglas, Arapahoe and Elbert Counties. The Plan boundary perimeters also encompass incorporated areas located within portions of the City of Lone Tree, City of Centennial, City of Foxfield, City of Aurora, Town of Castle Rock and the City of Castle Pines. Unincorporated lands within the three-mile boundary total approximately 49,753 acres or 77.74 square miles.

The 2019 Plan is brief since the Parker 2035 Master Plan establishes a Planning Area Boundary and the Town Master Plan already address many of the requirements of the Statute. The Plan framework has eight (8) chapters:

- Introduction
- Overview of Sub-Areas
- Transportation
- Parks, Natural Areas, and Open Land Related Items
- Utilities and Related Items
- Proposed Land Uses
- Enclaves Located within Parker
- Map Exhibits

These chapters refer to those plans, policies, maps and other documents adopted by the jurisdictions that are located within the Three-Mile Plan area. The 2019 Three Mile Plan has only minor updates to maps and the lists of existing plans to reflect changes that have occurred since the 2018 Three Mile Plan.

What the Plan does:

- References planning documents from the Town of Parker and nearby jurisdictions
- Complies with state law

What the Plan does not do:

- Change the Master Plan
- Change the Parker Planning Area
- Change the Town's regulations or zoning
- Obligate the Town to change any of the above

II. PRIOR ACTIONS

Date	Action
11-05-2018	Town Council Adopted the 2018 Three-Mile Area Plan

III. RECOMMENDATION

Staff recommends the Planning Commission recommend Town Council adopt the 2019 Three-Mile Area Plan.

IV. ATTACHMENTS

1. 2019 Three-Mile Area Plan with maps including changes
2. Resolution 19-094

Report Approved By: Bryce Matthews, Planning Manager

Through: Jason Rogers, Deputy Community Development Director



Request for Town Council Action

Date: November 4, 2019

Submitted By: Kristin Schledorn, Deputy Town Attorney

Reviewed By: Michelle Kivela, Town Administrator

Title: **RESOLUTION NO. 19-095**
A Resolution Approving the Form of Capital Pledge Agreement Between Reata Ridge Village Metropolitan District No. 1 and Reata Ridge Village Metropolitan District No. 2

Department: Town Attorney, Kristin Schledorn

EXECUTIVE SUMMARY

This resolution approves the form of Capital Pledge Agreement between Reata Ridge Village Metropolitan District Nos. 1 and 2.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The service plans for Reata Ridge Village Metropolitan District No. 1 (“District 1”) and Reata Ridge Village Metropolitan District No. 2 (“District 2” and together with District 1, the “Districts”) were approved by the Town of Parker in April 2016.

The Districts are now at a point where they are ready to issue bonds and are requesting that the Town Council approve a Capital Pledge Agreement (the “Pledge Agreement”). District 2 will issue bonds, and District 1 will pledge its tax revenues to District 2 for the repayment of those bonds. The proceeds of the bonds will be used to finance public infrastructure that will benefit both Districts.

Town staff recommends that the Town Council approve the Pledge Agreement.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



ATTACHMENTS

1. Resolution No. 19-095

RECOMMENDED MOTION

I move to approve Resolution No. 19-095, as part of the consent agenda.

RESOLUTION NO. 19-095, Series of 2019

TITLE: A RESOLUTION APPROVING THE FORM OF CAPITAL PLEDGE AGREEMENT BETWEEN REATA RIDGE VILLAGE METROPOLITAN DISTRICT NO. 1 AND REATA RIDGE VILLAGE METROPOLITAN DISTRICT NO. 2

WHEREAS, THE TOWN COUNCIL OF PARKER FINDS:

A. By Resolution No. 16-023 adopted on April 4, 2016, the Town Council of the Town of Parker (the "Town Council") approved the Consolidated Service Plan for Reata Ridge Village Metropolitan District No. 1 ("District No. 1") and Reata Ridge Village Metropolitan District No. 2 ("District No. 2" and together with District No. 1, the "Districts"), with Amended and Restated Exhibits A and C-1 for Reata Ridge Village Metropolitan District No. 2, pursuant to that certain Notice of Intent to Take Certain Actions and Resolution of the Town Council adopted on January 17, 2017, (together with such amended and restated exhibits, the "Service Plan"); and

B. Section V.C of the Service Plan states in part that it is anticipated the Districts, collectively, will undertake the financing and construction of the Public Improvements, and that the Districts will share certain Public Improvements costs (as the term "Public Improvements" is defined in the Service Plan).

C. Pursuant to Section X of the Service Plan, all intergovernmental agreements proposed regarding the subject matter of the Service Plan shall be subject to review and approval by the Town prior to execution thereof by the Districts.

D. In anticipation of the issuance by District No. 2 of its Limited Tax General Obligation Bonds, Series 2019A and its Subordinate Limited Tax General Obligation Bonds, Series 2019B (together, the "Series 2019 Bonds"), to the repayment of which District No. 1 shall pledge its Capital Revenue (as that term is defined in the proposed Capital Pledge Agreement), and which Series 2019 Bonds shall be used for the purpose of financing a portion of the Public Improvements, the Districts have submitted to the Town a proposed Capital Pledge Agreement, which is attached hereto as **Exhibit 1** and incorporated herein by this reference.

E. Pursuant to state statute, the Town of Parker Municipal Code and the Service Plan, the Town Council has authority to review the proposed Capital Pledge Agreement.

F. The Town Council has reviewed the proposed Capital Pledge Agreement and the related information submitted by and on behalf of the Districts in connection therewith and, based upon the representations of the Districts set forth in the proposed Capital Pledge Agreement and in such related information, the Town Council has determined to adopt this resolution approving the execution by the Districts of the form of the proposed Capital Pledge Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated in and made a part of this Resolution.

Section 2. Based upon the representations of the Districts, including the representations set forth in the proposed Capital Pledge Agreement and in the related information submitted by and on behalf of the Districts in connection therewith, the Town Council of the Town of Parker hereby authorizes the Districts to execute the Capital Pledge Agreement in substantially the form accompanying this Resolution, subject to Section 3 hereof.

Section 3. Town approval herein of the form of the Capital Pledge Agreement does not in any manner amend, effect, alter, change or constitute any waiver or release of any terms, conditions, provisions, or requirements of the Service Plan or any intergovernmental agreement between the Town and the Districts. Further, Town approval herein of the form of the Capital Pledge Agreement does not in any manner amend, effect, alter, change or constitute any waiver or release of any terms, conditions, provisions, or requirements of any development plans, annexation agreement, subdivision agreement, and other agreement with the Town governing development and the completion of Public Improvements within the Districts, all of which plans and agreements, including without limitation the Approved Development Plan (as defined in the Service Plan), which remain in full force and effect in accordance with their terms. Town approval herein of the form of the Capital Pledge Agreement shall not be construed as a waiver of any of the Town's rights or remedies under the Service Plan, any intergovernmental agreement between the Town and any of the Districts, or any plans and agreements, nor shall the Town approval herein be construed as an approval or endorsement of the terms of the Capital Pledge Agreement.

RESOLVED AND PASSED effective as of the ____ day of _____, 2019.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

EXHIBIT 1

CAPITAL PLEDGE AGREEMENT

This **CAPITAL PLEDGE AGREEMENT** (this “Agreement”) is entered into this [2nd] day of December, 2019 between **REATA RIDGE VILLAGE METROPOLITAN DISTRICT NO. 1**, in the Town of Parker, Douglas County, Colorado, a quasi-municipal corporation and a political subdivision duly organized and existing under the constitution and laws of the State of Colorado (“District No. 1”) and **REATA RIDGE VILLAGE METROPOLITAN DISTRICT NO. 2**, in the Town of Parker, Douglas County, Colorado, a quasi-municipal corporation and a political subdivision duly organized and existing under the constitution and laws of the State of Colorado (“District No. 2” and, together with District No. 1, collectively, the “Districts”). All capitalized terms used and not otherwise defined in the “Background” below have the respective meanings assigned in Section 1 hereof. This Agreement shall take effect on the Effective Date, as defined herein.

BACKGROUND

A. The organization of District No. 1 was approved by the eligible electors voting at the election of District No. 1 duly called and held on May 3, 2016 in accordance with law and pursuant to due notice. Following such electoral approval, District No. 1 was organized pursuant to an Order and Decree of the District Court, Douglas County, Colorado, filed on May 20, 2016. The organization of District No. 2 was approved by the qualified electors voting at the election of District No. 2 duly called and held on November 7, 2017 in accordance with law and pursuant to due notice. Following such electoral approval, District No. 2 was duly and regularly organized pursuant to an Amended and Restated Order and Decree of the District Court, Douglas County, Colorado, filed on November 28, 2017.

B. The Consolidated Service Plan for both Reata Ridge Village Metropolitan District No. 1 and Reata Ridge Village Metropolitan District No. 2, in the Town of Parker, Colorado, was approved by a resolution of the Town Council of the Town of Parker, Colorado (the “Town Council”), adopted on April 4, 2016 (with Amended and Restated Exhibits A and C-1 for Reata Ridge Village Metropolitan District No. 2, pursuant to that certain Notice of Intent to Take Certain Actions and Resolution of the Town Council adopted on January 17, 2017) (together with such amended and restated exhibits, the “Service Plan”). The Service Plan complies with the applicable provisions of Sections 32-1-101, C.R.S., et seq., as amended (the “Special District Act”) and all required governmental approvals have been obtained therefor.

C. At an election of the qualified electors of District No. 1, duly called and held on May 3, 2016 (the “District No. 1 Election”), in accordance with law and pursuant to due notice, a majority of those qualified to vote and voting at the District No. 1 Election voted in favor of, inter alia, the issuance of general obligation indebtedness and the imposition of taxes for the payment thereof, for the purpose of providing certain improvements and facilities. At an election of the qualified electors of District No. 2, duly called and held on Tuesday, November 7, 2017 (the “District No. 2 Election”), in accordance with law and pursuant to due notice, a majority of those qualified to vote and voting at the District No. 2 Election voted in favor of, inter alia, the issuance of general obligation indebtedness and the imposition of taxes for the payment thereof, for the purpose of providing certain improvements and facilities.

D. Pursuant to the Colorado Constitution, Article XIV, Section 18(2)(a), and Section 29-1-203, C.R.S., the Districts may cooperate or contract with each other to provide any function, service or facility lawfully authorized to each, and any such contract may provide for the sharing of costs, the imposition and collection of taxes, and the incurring of debt.

E. The Boards of Directors of District No. 1 and District No. 2 (collectively, the “Boards”) have determined that it is necessary to pay the costs of acquiring, constructing, and installing public improvements and facilities benefitting the residents, occupants, property owners and taxpayers of the Districts as well as the public at large, the debt for which was approved at the District No. 1 Election and the District No. 2 Election (the “Project”).

F. The Boards have further determined, in order to finance the Project at the lowest cost and with the greatest efficiency, thus benefitting the residents, owners, occupants and taxpayers of the Districts, that the Districts work together to finance the Project.

G. For the purpose of financing costs of the Project, District No. 2 is issuing its Limited Tax General Obligation Bonds, Series 2019A (the “Series 2019A Senior Bonds”) and its Subordinate Limited Tax General Obligation Bonds, Series 2019B₍₃₎ (the “Series 2019B₍₃₎ Subordinate Bonds” and, together with the Series 2019A Senior Bonds, the “Series 2019 Bonds”).

H. In order to assist in the financing of the Project, the District No. 1 Board determined that District No. 1 shall levy ad valorem property taxes and pay the revenue derived therefrom to the Bond Trustee on behalf of District No. 2 for the purpose of paying and securing the Series 2019 Bonds (and any additional District Obligations), all as more particularly provided herein.

I. Pursuant to the District No. 1 Election, District No. 1 has voter authorized but unissued authorization to incur indebtedness in the amounts and for the purposes set forth below:

[District No. 1 Voted Debt Authorization Table Appears on Following Page]

District No. 1 Voted Debt Authorization	
Purpose	Principal Amount Voted
Street Improvements	\$7,300,000
Parks and Recreation	7,300,000
Water	7,300,000
Sanitation/Storm Sewer	7,300,000
Transportation	7,300,000
Mosquito Control	7,300,000
Safety Protection	7,300,000
Fire Protection	7,300,000
Television Relay	7,300,000
Security	7,300,000
TOTAL PUBLIC IMPROVEMENTS	<u>\$73,000,000</u>
Operations and Maintenance	7,300,000
Refunding	7,300,000
Private Agreements	7,300,000
Intergovernmental Agreements	<u>7,300,000</u>
TOTAL	<u>\$102,200,000</u>

J. This Agreement constitutes a multiple fiscal year financial obligation of District No. 1 within the meaning of Article X, Section 20 of the Colorado Constitution (TABOR). Accordingly, the District No. 1 Board has determined to allocate the indebtedness of District No. 1 represented by this Agreement to the “Intergovernmental Agreements” category of indebtedness authorized at the District No. 1 Election in an amount equal to the total amount of Capital Revenue actually collected by District No. 1 and paid to District No. 2 under this Agreement. District No. 1 shall make (or cause to be made) such allocation annually in District No. 1’s annual audited financial statements.

K. The Districts have determined that the execution of this Agreement and the issuance of the Series 2019 Bonds and other District Obligations, if any, for the purpose of financing or refinancing the Project are in the best interests of the Districts and the residents, occupants, property owners, and taxpayers thereof.

AGREEMENT

NOW, THEREFORE, for and in consideration of the promises and the mutual covenants and stipulations herein, the parties hereby agree as follows:

ARTICLE I

DEFINITIONS

Section 1.01. Definitions. As used herein, unless the context expressly indicates otherwise, the words defined below and capitalized in the text of this Agreement shall have the respective meanings set forth below:

“Additional Senior Obligation Capital Revenue” means the sum of the following, less the costs of collection: (a) the ad valorem property tax revenue derived from imposition of the District No. 1 Senior Capital Levy and (b) if pledged to the applicable Additional Senior Obligations under the Governing Instrument pursuant to which they are issued and secured, the Specific Ownership Tax revenue allocable to such District No. 1 Senior Capital Levy.

“Additional Senior Obligations” means indebtedness issued by District No. 2 after the Effective Date which constitutes a Senior Obligation.

“Additional Subordinate Obligation Capital Revenue” means the sum of the following, less the costs of collection: (a) the ad valorem property tax revenue derived from imposition of the District No. 1 Subordinate Capital Levy and (b) if pledged to the applicable Additional Subordinate Obligations under the Governing Instrument pursuant to which they are issued and secured, the Specific Ownership Tax revenue allocable to such District No. 1 Subordinate Capital Levy.

“Additional Subordinate Obligations” means indebtedness issued by District No. 2 after the Effective Date which constitutes a Subordinate Obligation.

“Agreement” means this Capital Pledge Agreement as the same may be amended from time to time in accordance with the provisions hereof and the applicable Governing Instruments.

“Agreement Termination Date” means the first date on which no District Obligations are Outstanding within the meaning of the applicable Governing Instrument(s); *provided, however*, that in no event shall the term of this Agreement extend beyond the Maximum Debt Mill Levy Imposition Term.

“Boards” means, collectively, the District No. 1 Board and the District No. 2 Board.

“Bond Trustee” means (a) with respect to the Series 2019 Bonds, BOKF, NA, in Denver, Colorado, or any successor thereof and, (b) with respect to any other District Obligation, the trustee, paying agent, custodian or other administrative agent acting as such with respect to the applicable District Obligation under the applicable Governing Instrument.

“Bond Year” means (a) with respect to the Series 2019A Senior Bonds and any other Senior Obligations, the period commencing December 2 of any calendar year through and including December 1 of the immediately succeeding calendar year, and (b) with respect to the Series 2019B₍₃₎ Subordinate Bonds and any other Subordinate Obligations, the period commencing December 16 of any calendar year through and including December 15 of the immediately succeeding calendar year.

“Bondholders” means the registered owners from time to time of the District Obligations.

“Capital Mill Levy” means, for each tax levy year, the number of mills equal to the sum of: (a) the District No. 1 Senior Obligation Mill Levy and (b) the District No. 1 Subordinate Obligation Mill Levy.

“Capital Revenue” means the sum of the (a) Senior Capital Revenue; (b) the Subordinate Capital Revenue; (c) the Additional Senior Obligation Capital Revenue; and (d) the Additional Subordinate Obligation Capital Revenue.

“Certified Public Accountant” means a certified public accountant within the meaning of Section 12-2-115, C.R.S., and any amendment thereto, licensed to practice in the State of Colorado.

“District No. 1” means Reata Ridge Village Metropolitan District No. 1, in the Town of Parker, Douglas County, Colorado.

“District No. 1 Accountant” means (a) as of the date hereof, Simmons & Wheeler, P.C., Englewood, Colorado, and (b) as of any other date, the firm or individual then serving as the accountant for the District.

“District No. 1 Assessed Value” the assessed valuation of the taxable property of District No. 1, as such assessed valuation is certified from time to time by the appropriate county assessor.

“District No. 1 Board” means the Board of Directors of District No. 1.

“District No. 1 Election” means the election of the eligible electors of District No. 1, duly called and held on May 3, 2016 in accordance with law and pursuant to due notice.

“District No. 1 Maximum Cost Allowance” means, for fiscal year 2020 (being tax levy year 2019 and tax collection year 2020), the amount of \$50,000, and increasing by 1.0% in each year thereafter.

“District No. 1 Operations Cost Allowance” means the amount set forth in District No. 1’s budget as the anticipated annual costs of administration and operations for the applicable fiscal year (which fiscal year is also the tax collection year related to the levy year in which the Operations Levy is certified); *provided, however*, that such annual cost allowance shall not exceed the applicable Maximum Cost Allowance in any year.

“District No. 1 Operations Levy” means, for each tax levy year, that number of mills the imposition of which will produce ad valorem property tax revenue equal to the District No. 1 Operations Cost Allowance for the corresponding tax collection year (being the applicable fiscal year of District No. 1 for purposes of determining the Operations Cost Allowance).

“District No. 1 Senior Capital Levy” means the ad valorem mill levy required to be imposed by District No. 1 hereunder which, when combined with the District No. 2 Senior Capital Levy, will produce sufficient revenue for payment of any Additional Senior Obligations issued hereafter and, if applicable, the funding and replenishing of any Senior Obligation Reserve Fund and/or Senior Obligation Surplus Fund created under the Governing Instrument pursuant to which such Additional Senior Obligations are issued and secured.

“*District No. 1 Senior Obligation Mill Levy*” means: (a) with respect to the Series 2019A Senior Bonds, the District No. 1 Senior Required Mill Levy and, (b) with respect to any Additional Senior Obligations, the District No. 1 Senior Capital Levy.

“*District No. 1 Senior Required Mill Levy*” shall mean the following:

(a) Subject to paragraphs (b) and (c) below, an ad valorem mill levy (a mill being equal to 1/10 of 1 cent) imposed upon all taxable property of District No. 1 each year in an amount which, *when combined with the District No. 2 Senior Tax Revenue*, will produce ad valorem property tax revenue in an amount sufficient to fund the Series 2019A Senior Bond Fund for the relevant Bond Year and pay the Series 2019A Senior Bonds as they come due and, if necessary, replenish the Series 2019A Senior Reserve Fund to the amount of the Series 2019A Senior Bond Reserve Requirement, but (i) not in excess of 47.678 mills less the District No. 1 Operations Levy, and (ii) if the amount on deposit in the Series 2019A Senior Surplus Fund is less than the Series 2019A Senior Bond Maximum Surplus Amount, not less than 47.678 mills less the District No. 1 Operations Levy, or such lesser mill levy which, after deduction of the District No. 1 Operations Levy, will fund the Series 2019A Senior Bond Fund for the relevant Bond Year and pay the Series 2019A Senior Bonds as they come due, will replenish the Series 2019A Senior Reserve Fund to the amount of the Series 2019A Senior Bond Reserve Requirement and will fund the Series 2019A Senior Surplus Fund to the Series 2019A Senior Bond Maximum Surplus Amount; *provided however*, that if, after the date of issuance of the Series 2019A Senior Bonds, there are changes in the ratio of actual valuation to assessed valuation, pursuant to Article X, Section 3(1)(b) of the Colorado Constitution and legislation implementing such Section, with respect to any class or classes (as classified by the Douglas County Assessor) of taxable property upon which District No. 1 is authorized to certify its ad valorem property tax mill levies, then the maximum and minimum mill levies stated above shall be increased or decreased to reflect such change, such mill levy increases or decreases to be determined by the District No. 1 Board in good faith (such determination to be binding and final) so that to the extent possible, the actual tax revenues generated by such maximum and minimum mill levies, as so adjusted, are neither diminished nor enhanced as a result of such changes (as applicable to the class or classes of property of taxable property upon which the District is authorized to certify its ad valorem property tax mill levies, each, a “Gallagher Event”). *Pursuant to the Service Plan, such mill levies shall not be adjusted for any reason other than a Gallagher Event.*

(b) If the District No. 1 Senior Required Mill Levy as calculated in accordance with paragraph (a) above is less than the maximum mill levy of 47.678 mills (subject to adjustment for Gallagher Events occurring after the date of issuance of the Bonds), District No. 1 shall cause the District No. 1 Accountant to compute the District No. 1 Senior Required Mill Levy in accordance with the provisions of Section 2.10 hereof.

(c) Notwithstanding anything in this Agreement or the Series 2019A Senior Indenture to the contrary, in no event may the District No. 1 Senior Required Mill Levy be established at a mill levy which would constitute a material departure from the requirements of the Service Plan, or cause District No. 1 to derive tax revenue in any year in excess of the maximum tax increases permitted by District No. 1's electoral authorization, and if the District No. 1 Senior Required Mill Levy as calculated pursuant to the foregoing would cause the amount of taxes collected in any year to exceed the maximum tax increase permitted by District No. 1's electoral authorization or would create a material departure from the Service Plan, the District No. 1 Senior Required Mill Levy shall be reduced to the point that such maximum tax increase is not exceeded and no material departure from the Service Plan occurs.

"District No. 1 Subordinate Capital Levy" means the ad valorem mill levy required to be imposed by District No. 1 hereunder which, when combined with the District No. 2 Subordinate Capital Levy, will produce sufficient revenue for payment of any Additional Subordinate Obligations issued hereafter in the manner contemplated under the Governing Instrument pursuant to which such Additional Subordinate Obligations are issued and secured.

"District No. 1 Subordinate Obligation Mill Levy" means: (a) with respect to the Series 2019A Subordinate Bonds, the District No. 1 Subordinate Required Mill Levy and, (b) with respect to any Additional Subordinate Obligations, the District No. 1 Subordinate Capital Levy.

"District No. 1 Subordinate Required Mill Levy" shall have the following meaning:

(a) Subject to paragraph (c) below, an ad valorem mill levy (a mill being equal to 1/10 of 1 cent) imposed upon all taxable property of District No. 1 each year equal to 47.678 mills less the District No. 1 Senior Obligation Mill Levy and less the District No. 1 Operations Levy, or, *subject to paragraph (b) below*, such lesser mill levy which, *when combined with the District No. 2 Subordinate Tax Revenue*, will be sufficient to pay all of the principal of, premium, if any, and interest on the Series 2019B₍₃₎ Subordinate Bonds in full; *provided however*, that if, after the date of issuance of the Series 2019B₍₃₎ Subordinate Bonds, there are changes in the ratio of actual valuation to assessed valuation, pursuant to Article X, Section 3(1)(b) of the Colorado Constitution and legislation implementing such Section, with respect to any class or classes (as classified by the Douglas County Assessor) of taxable property upon which the District is authorized to certify its ad valorem property tax mill levies, then the maximum and minimum mill levies stated above shall be increased or decreased to reflect such change, such mill levy increases or decreases to be determined by the District No. 1 Board in good faith (such determination to be binding and final) so that to the extent possible, the actual tax revenues generated by such maximum and minimum mill levies, as so adjusted, are neither diminished nor enhanced as a result of such changes (as applicable to the class or classes of property of taxable property upon which the District is authorized to certify its ad valorem property tax mill levies, each, a "Gallagher Event"). *Pursuant to the Service Plan, such mill levies shall not be adjusted for any reason other than a Gallagher Event.* It is the stated intent under

this Agreement that, if the sum of the District No. 1 Senior Obligation Mill Levy and the District No. 1 Operations Levy equals or exceeds 47.678 mills (as adjusted as described above for Gallagher Events occurring after the date of issuance of the Series 2019B⁽³⁾ Subordinate Bonds) in any year, the District No. 1 Subordinate Required Mill Levy for that year shall be zero.

(b) If the District No. 1 Subordinate Required Mill Levy as calculated in accordance with paragraph (a) above is less than the maximum mill levy of 47.678 mills less the District No. 1 Senior Obligation Mill Levy and less the District No. 1 Operations Levy (subject to adjustment for Gallagher Events occurring after the date of issuance of the Series 2019B⁽³⁾ Subordinate Bonds), District No. 1 shall cause the District No. 1 Accountant to compute the District No. 1 Subordinate Required Mill Levy in accordance with the provisions of 2.10 hereof.

(c) Notwithstanding anything in this Agreement or the Series 2019B⁽³⁾ Subordinate Indenture to the contrary, in no event may the District No. 1 Subordinate Required Mill Levy be established at a mill levy which would constitute a material departure from the requirements of the Service Plan, or cause District No. 1 to derive tax revenue in any year in excess of the maximum tax increases permitted by District No. 1's electoral authorization, and if the District No. 1 Subordinate Required Mill Levy as calculated pursuant to the foregoing would cause the amount of taxes collected in any year to exceed the maximum tax increase permitted by District No. 1's electoral authorization or would create a material departure from the Service Plan, the District No. 1 Subordinate Required Mill Levy shall be reduced to the point that such maximum tax increase is not exceeded and no material departure from the Service Plan occurs.

"District No. 2" means Reata Ridge Village Metropolitan District No. 2, in the Town of Parker, Douglas County, Colorado.

"District No. 2 Accountant" means (a) as of the date hereof, Simmons & Wheeler, P.C., Englewood, Colorado, and (b) as of any other date, the firm or individual then serving as the accountant for the District.

"District No. 2 Assessed Value" has the meaning ascribed to the defined term "Assessed Valuation" in the Series 2019A Senior Indenture.

"District No. 2 Board" means the Board of Directors of District No. 2.

"District No. 2 Election" means the election of the eligible electors of District No. 2, duly called and held on Tuesday, November 7, 2017 in accordance with law and pursuant to due notice.

"District No. 2 Senior Capital Levy" means the ad valorem mill levy required to be imposed by District No. 2 for payment of any Additional Senior Obligations by the Governing Instrument pursuant to which such Additional Senior Obligations are issued and secured.

“District No. 2 Senior Required Mill Levy” has the meaning ascribed to the defined term “Senior Required Mill Levy” in the Series 2019A Senior Indenture.

“District No. 2 Senior Tax Revenue” means, when calculating the District No. 1 Senior Required Mill Levy for certification in any tax levy year, the ad valorem property tax revenue expected to be received in the related tax collection year as a result of the imposition by District No. 2 of the District No. 2 Senior Required Mill Levy in that same tax levy year.

“District No. 2 Subordinate Capital Levy” means the ad valorem mill levy required to be imposed by District No. 2 for payment of any Additional Subordinate Obligations by the Governing Instrument pursuant to which such Additional Subordinate Obligations are issued and secured.

“District No. 2 Subordinate Required Mill Levy” has the meaning ascribed to the defined term “Subordinate Required Mill Levy” in the Series 2019B₍₃₎ Subordinate Indenture.

District No. 2 Subordinate Tax Revenue” means, when calculating the District No. 1 Subordinate Required Mill Levy for certification in any tax levy year, the ad valorem property tax revenue expected to be received in the related tax collection year as a result of the imposition by District No. 2 of the District No. 2 Subordinate Required Mill Levy in that same tax levy year.

“District Obligations” means, collectively, all of the following, to the extent issued to finance or refinance the Project: (a) the Series 2019A Senior Bonds; (b) the Series 2019B₍₃₎ Subordinate Bonds; (c) any Additional Senior Obligations; and (d) any Additional Subordinate Obligations.

“Districts” means, collectively, District No. 1 and District No. 2.

“Effective Date” means the date on which District No. 2 issues the Series 2019 Bonds.

“Fiscal Year” means, with respect to the Districts, the period commencing on January 1 of the applicable year and continuing through and including December 31 of the same year, or any other fiscal year of the Districts adopted or required in accordance with applicable law.

“Governing Instrument” means (a) with respect to the Series 2019A Senior Bonds, the Series 2019A Senior Indenture; (b) with respect to the Series 2019B₍₃₎ Subordinate Bonds, the Series 2019₍₃₎ Subordinate Indenture; (c) with respect to the Series 2019 Bonds collectively, the Series 2019 Indentures; (d) with respect to any other District Obligations, the resolution, indenture, agreement or other instrument(s) governing such District Obligations.

“Maximum Debt Mill Levy Imposition Term” has the meaning ascribed to such term in the Service Plan

“Outstanding” has the following meanings: (a) with respect to the Series 2019 Bonds, such term has the meanings ascribed thereto, respectively, in the Series 2019 Indentures and (b) with respect to any other District Obligation, such term has the meaning ascribed thereto in the applicable Governing Instrument.

“Payment Obligation” has the meaning assigned to such term in Section 2.04(a) hereof.

“Project” means the acquisition, construction, and installation of public improvements and facilities benefitting the residents, occupants, property owners, and taxpayers of the Districts as well as the public at large, the debt for which was approved at the District No. 1 Election and the District No. 2 Election, including, without limitation, necessary or appropriate equipment.

“Senior Capital Revenue” means the sum of the following, less costs of collection: (a) the ad valorem property tax revenue derived from imposition of the District No. 1 Senior Required Mill Levy and (b) the Specific Ownership Tax revenue allocable to the District No. 1 Senior Required Mill Levy.

“Senior Mill Levy Proportion” means, with respect to any relevant levy year, the proportion of the District No. 1 Senior Required Mill Levy and the District No. 2 Senior Required Mill Levy, each stated as a percentage of the sum of the total. The Senior Mill Levy Proportion will change from time to time as a result of the occurrence of Gallagher Events, if any (as applicable to the District No. 1 Senior Required Mill Levy and/or the District No. 2 Senior Required Mill Levy, respectively) after the issuance of the Series 2019 Bonds.

“Senior Obligation” means indebtedness of District No. 2 meeting the definition of a “Senior Bond” within the meaning of the Series 2019 Indentures (which includes the Series 2019A Senior Bonds), provided that any such obligation is issued in accordance with the applicable provisions of all Governing Instruments then in effect.

“Senior Obligation Reserve Fund” means any fund or account created for the purpose of securing the payment of Additional Senior Obligations where such fund or account is initially fully funded on the date of issuance of the Additional Senior Obligations from the proceeds thereof or from any source other than the revenue pledged thereto or to any other Senior Obligations.

“Senior Obligation Surplus Fund” means any fund or account created for the purpose of securing the payment of Additional Senior Obligations, provided that such fund or account is not initially fully funded on the date of issuance of the Additional Senior Obligations but, rather, is to be funded from revenues pledged to such Additional Senior Obligations remaining after payment of the debt service on such Additional Senior Obligations and, if so provided in the applicable Governing Instrument, after the replenishment of any Senior Obligation Reserve Fund securing such Additional Senior Obligations.

“Series 2019 Bonds” means, collectively, the Series 2019A Senior Bonds and the Series 2019B₍₃₎ Subordinate Bonds.

“Series 2019 Indentures” means, collectively, the Series 2019A Senior Indenture and the Series 2019B₍₃₎ Subordinate Indenture.

“Series 2019A Senior Bond Fund” means the Senior Bond Fund relating to the Series 2019A Senior Bonds established, held and maintained under the Series 2019A Senior Indenture.

“Series 2019A Senior Bond Maximum Surplus Amount” has the meaning ascribed to the defined term “Maximum Surplus Amount” in the Series 2019A Senior Indenture.

“Series 2019A Senior Bond Reserve Requirement” has the meaning ascribed to the defined term “Reserve Requirement” in the Series 2019A Senior Indenture.

“Series 2019A Senior Bonds” means the General Obligation (Limited Tax Convertible to Unlimited Tax) Bonds, Series 2019A, issued by District No. 2.

“Series 2019A Senior Indenture” means the Indenture of Trust, dated as of the date of issuance of the Series 2019A Senior Bonds, between District No. 2 and the Bond Trustee pursuant to which the Series 2019A Senior Bonds are issued, as the same may be supplemented or amended from time to time in accordance with the provisions thereof.

“Series 2019A Senior Surplus Fund” means the Surplus Fund relating to the Series 2019A Senior Bonds established, held and maintained under the Series 2019A Senior Indenture.

“Series 2019A Senior Reserve Fund” means the Reserve Fund relating to the Series 2019A Senior Bonds established, held and maintained under the Series 2019A Senior Indenture.

“Series 2019B₍₃₎ Subordinate Bond Fund” means the Subordinate Bond Fund relating to the Series 2019B₍₃₎ Subordinate Bonds established, held and maintained under the Series 2019B₍₃₎ Subordinate Indenture.

“Series 2019B₍₃₎ Subordinate Bonds” means the Subordinate General Obligation Limited Tax Bonds, Series 2019B₍₃₎, issued by District No. 2.

“Series 2019B₍₃₎ Subordinate Indenture” means the Indenture of Trust, dated as of the date of issuance of the Series 2019B₍₃₎ Subordinate Bonds, between District No. 2 and the Bond Trustee pursuant to which the Series 2019B₍₃₎ Subordinate Bonds are issued, as the same may be supplemented or amended from time to time in accordance with the provisions thereof.

“Service Plan” has the meaning set forth in Recital B hereof.

“Specific Ownership Tax” means the specific ownership taxes collected by the county and remitted to the District pursuant to Section 42-3-107, C.R.S., or any successor statute.

“State” means the State of Colorado.

“Subordinate Capital Revenue” means the sum of the following, less costs of collection: (a) the ad valorem property tax revenue derived from imposition of the District No. 1 Subordinate Required Mill Levy and (b) the Specific Ownership Tax revenue allocable to the District No. 1 Subordinate Required Mill Levy.

“Subordinate Mill Levy Proportion” means, with respect to any relevant levy year, the proportion of the District No. 1 Subordinate Required Mill Levy and the District No. 2 Subordinate Required Mill Levy, each stated as a percentage of the sum of the total. The Subordinate Mill Levy Proportion will change from time to time as a result of the occurrence of

Gallagher Events, if any (as applicable to the District No. 1 Subordinate Required Mill Levy and/or the District No. 2 Subordinate Required Mill Levy, respectively) after the date of issuance of the Series 2019 Bonds.

“*Subordinate Obligation*” means indebtedness of District No. 2 meeting the definition of a “Subordinate Bond” within the meaning of the Series 2019 Indentures (which includes the Series 2019B₍₃₎ Subordinate Bonds), provided that any such obligation is issued in accordance with the applicable provisions of all Governing Instruments then in effect.

“*Supplemental Act*” shall mean the Supplemental Public Securities Act, Sections 11-57-201, et seq., C.R.S., as the same may be amended from time to time.

Section 1.02. Interpretation. In this Agreement, unless the context expressly indicates otherwise, the words defined below shall have the meanings set forth below:

The terms “herein,” “hereunder,” “hereby,” “hereto,” “hereof” and any similar terms, refer to this Agreement as a whole and, except for use of the term “hereof” where the context so indicates, such terms shall not refer to any particular article, section, or subdivision hereof; the term “heretofore” means before the date of execution of the Agreement; and the term “hereafter” means after the date of execution of this Agreement.

All definitions, terms, and words shall include both the singular and the plural, and all capitalized words or terms shall have the definitions set forth in Section 1.01 hereof.

Words of the masculine gender include correlative words of the feminine and neuter genders, and words importing the singular number include the plural number and vice versa.

The captions or headings of this Agreement are for convenience only, and in no way define, limit, or describe the scope or intent of any provision, article, or section of this Agreement.

All schedules, exhibits, and addenda referred to herein are incorporated herein by this reference.

ARTICLE II

PAYMENT OBLIGATION

Section 2.01. Electoral Authorization.

(a) ***Election.*** The voted authorization for District No. 1 to incur multiple fiscal year financial obligations for intergovernmental agreements and the total maximum repayment cost relating thereto was approved at the District No. 1 Election as required by Article X, Section 20 of the Colorado Constitution.

(b) ***Allocation of Voted Authorization.*** The District No. 1 Board has determined that the indebtedness represented by this Agreement shall be allocated to the category of indebtedness approved at the District No. 1 Election entitled

“Intergovernmental Agreements.” The District No. 1 Board has further determined that the amount of indebtedness to be so allocated shall be that amount equal to the total amount of Capital Revenue actually collected by District No. 1 and paid to the Bond Trustee on behalf of District No. 2 under this Agreement. District No. 1 covenants and agrees that it shall make (or cause to be made) such allocation annually in District No. 1’s audited financial statements. Accordingly, the continual performance by District No. 1 of its obligations under this Agreement in accordance with the terms hereof requires no further electoral approval.

(c) ***Limits of Electoral Authorization.*** In no event shall the total or annual obligations of District No. 1 hereunder exceed the maximum amounts permitted under The District No. 1 Election. Upon payment by District No. 1 hereunder of the maximum amounts authorized by The District No. 1 Election, the obligations of District No. 1 under this Agreement will be deemed defeased and no longer outstanding.

Section 2.02. The Project. District No. 2 shall issue the Series 2019 Bonds for the purpose of financing and refinancing the Project. Additional District Obligations may also be issued from time to time, subject to the limitations of the Series 2019 Indentures and any other Governing Instrument then in effect, for the purpose of financing and/or refinancing the Project. District No. 1 hereby acknowledges and agrees that the completion of the Project provides benefits to District No. 1’s residents, property owners and taxpayers, and in consideration of the issuance of the Series 2019 Bonds by District No. 2 for purposes of financing the Project, District No. 1 agrees to impose the Capital Mill Levy and pay the Capital Revenue to the Bond Trustee on behalf of District No. 2 for the purpose of paying and securing the Series 2019 Bonds and any additional District Obligations.

Section 2.03. Prepayment Prohibited. Because the actual dollar amount of District No. 1’s obligations hereunder cannot be ascertained with any certainty at any time, District No. 1 shall not be permitted to prepay its obligations hereunder.

Section 2.04. Pledge; Multiple Fiscal Year Financial Obligation.

(a) ***Multiple Fiscal Year Financial Obligation.*** The obligations of District No. 1 to (i) to certify and impose the Capital Mill Levy and enforce the collection of the ad valorem property taxes derived therefrom; (ii) to enforce collection of the other Capital Revenue; and (iii) to pay the Capital Revenue to the Bond Trustee on behalf of District No. 2 in accordance with the terms hereof (the “Payment Obligation”) shall constitute multiple fiscal year financial obligations of District No. 1 within the meaning of Article X, Section 20 of the Colorado Constitution.

(b) ***Pledge of Capital Revenue.*** District No. 1 hereby assigns to the Bond Trustee on behalf of District No. 2 all of its right, title and interest in and to the Capital Revenue and pledges the same to the Bond Trustee on behalf of District No. 2 for the purpose of paying and securing the Series 2019 Bonds and any other District Obligations. The lien of such pledge on the Capital Revenue shall constitute a first priority and exclusive lien thereon. District No. 2 shall take whatever action may be necessary to further assure the pledge of the Capital Revenue to the Bond Trustee under the Series

2019 Indentures and any other applicable Governing Instrument for the benefit of the Bondholders from time to time, and the pledge of the Capital Revenue to the various District Obligations Outstanding from time to time shall have the priority set forth in the applicable Governing Instruments.

(c) ***Payment Obligation; Supplemental Act.*** The Payment Obligation of District No. 1 shall be secured by the pledge of the Capital Revenue to the Bond Trustee on behalf of District No. 2. District No. 1 hereby elects to apply all of the provisions of the Supplemental Act to its Payment Obligation under this Agreement and to the pledge of the Capital Revenue to the Bond Trustee on behalf of District No. 2 securing such obligation.

(d) ***Remittance of Capital Revenue.*** District No. 2 hereby authorizes and directs District No. 1 to pay (or cause to be paid) all Capital Revenue to the Bond Trustee pursuant to written instructions provided by the Bond Trustee, as the same may from time to time be revised pursuant to written instructions provided by the Bond Trustee to District No. 1 with a copy to District No. 2. On and after the Effective Date, District No. 1 shall remit (or cause the remittance of) the Capital Revenue to the Bond Trustee not later than thirty (30) days following the receipt thereof.

(e) ***Exclusive Obligations.*** District No. 1 acknowledges and agrees that its obligations under this Agreement with respect to the Capital Revenue run exclusively to the Bond Trustee on behalf of District No. 2 for the benefit of the Bondholders from time to time, and there is no prior, superior, subordinate or any other lien on the Capital Revenue other than the lien thereon of the pledge to the Bond Trustee on behalf of District No. 2 hereunder.

Section 2.05. Covenant of Further Assurances. District No. 1 covenants that it will do, execute, acknowledge, and deliver or cause to be done, executed, acknowledged, and delivered, such further acts, instruments, and transfers as District No. 2 or the Bond Trustee may reasonably require for the better assuring, transferring, and pledging unto the Bond Trustee the Capital Revenue.

Section 2.06. Appropriation. The amounts of Capital Revenue required under this Agreement to be paid by District No. 1 to the Bond Trustee on behalf of District No. 2 are hereby appropriated for that purpose, and said amounts for each applicable year shall be included in the annual budget and the appropriation resolution or measures to be adopted or passed by the District No. 1 Board in each Fiscal Year through and including the Fiscal Year immediately preceding the year in which the Agreement Termination Date occurs. No provisions of any constitution, statute, resolution or other order or measure enacted after the execution of this Agreement shall in any manner be construed as limiting or impairing the obligations of District No. 1 set forth in Section 2.04(a) hereof in the manner provided herein.

Section 2.07. Survival of Payment Obligation. In addition, and without limiting the generality of the foregoing, the Payment Obligation of District No. 1 shall survive any court determination of the invalidity of this Agreement as a result of a failure, or alleged failure, of any

of the directors of the Districts to properly disclose, pursuant to Colorado law, any potential conflicts of interest related hereto in any way.

Section 2.08. Limited Defenses; Specific Performance. It is understood and agreed by District No. 1 that its obligations hereunder are absolute, irrevocable, and unconditional and so long as this Agreement has not been terminated, District No. 1 agrees that, notwithstanding any fact, circumstance, dispute, or any other matter, it will not assert any rights of setoff, counterclaim, estoppel, or other defenses to its obligations hereunder, or take or fail to take any action which would delay performance of such obligations. Notwithstanding that this Agreement specifically prohibits and limits defenses and claims of District No. 1, in the event that District No. 1 reasonably believes that it has valid defenses, setoffs, counterclaims, or other claims other than specifically permitted by this Section 2.08, it shall, nevertheless, impose the Capital Mill Levy, collect and enforce the collection of the Capital Revenue, and pay all amounts derived therefrom to the Bond Trustee on behalf of District No. 2, and then may attempt or seek to recover such payments by actions at law or in equity for damages or specific performance, respectively.

Section 2.09. Determination of Capital Mill Levy. District No. 1 agrees to cause the District No. 1 Accountant to compute the number of mills constituting the Capital Mill Levy each year, including each component thereof.* At least thirty (30) days prior to the date on which District No. 1's annual budget is prepared, District No. 1 shall cause the District No. 1 Accountant to provide to District No. 1, District No. 2, the District No. 2 Accountant, and the Bond Trustee with the following: (i) the number of mills equal to the Capital Mill Levy; (ii) the number of mills comprising each component of the Capital Mill Levy; and (iii) if requested by any of the foregoing, the computations underlying the determination of such mill levies. Absent manifest error, District No. 1 agrees that the District No. 1 Accountant's computation each year of the Capital Mill Levy (and each component thereof) shall be conclusive.

Section 2.10. Determination of Mill Levy Proportions.

(a) **Senior Mill Levy Proportion.** If in any levy year it is determined that the District No. 1 Senior Required Mill Levy is to be less than its maximum (and therefore, as a result of the proportionate relationship between such levies, the District No. 2 Senior Required Mill Levy is necessarily less than its maximum for the same levy year), the Districts shall cause each of the District No. 1 Accountant and the District No. 2 Accountant to compute the Senior Mill Levy Proportion and the corresponding number of mills which constitute the District No. 1 Senior Required Mill Levy and the District No. 2 Senior Required Mill Levy for such levy year. The Districts shall further cause each of the District No. 1 Accountant and the District No. 2 Accountant to provide in writing to District No. 1, District No. 2 and the Bond Trustee: (i) the Senior Mill Levy Proportion; (ii) the number of mills constituting the District No. 1 Senior Required Mill Levy in such levy year; (iii) the number of mills constituting the District No. 2 Senior Required Mill Levy in such levy year; and (iv) if requested by any of the foregoing, the underlying

* The "components" of the Capital Mill Levy to be provided by the District No. 1 Accountant each year consist of: (i) the District No. 1 Senior Required Levy; (ii) the District No. 1 Subordinate Required Mill; (iii) the District No. 1 Senior Capital Levy (if any); and (iv) the District No. 1 Subordinate Capital Levy (if any).

computations. District No. 1 shall be entitled to rely upon such computation when certifying the District No. 1 Senior Required Mill Levy in the applicable levy year, and District No. 2 shall be entitled to rely upon such computation when certifying the District No. 2 Senior Required Mill Levy in the applicable levy year.

(b) ***Subordinate Mill Levy Proportion.*** If in any levy year it is determined that the District No. 1 Subordinate Required Mill Levy is to be less than its maximum (and therefore, as a result of the proportionate relationship between such levies, the District No. 2 Subordinate Required Mill Levy is necessarily less than its maximum for the same levy year), the Districts shall cause each of the District No. 1 Accountant and the District No. 2 Accountant to compute the Subordinate Mill Levy Proportion and the corresponding number of mills which constitute the District No. 1 Subordinate Required Mill Levy and the District No. 2 Subordinate Required Mill Levy for such levy year. The Districts shall further cause each of the District No. 1 Accountant and the District No. 2 Accountant to provide in writing to District No. 1, District No. 2 and the Bond Trustee: (i) the Subordinate Mill Levy Proportion; (ii) the number of mills constituting the District No. 1 Subordinate Required Mill Levy in such levy year; (iii) the number of mills constituting the District No. 2 Subordinate Required Mill Levy in such levy year; and (iv) if requested by any of the foregoing, the underlying computations. District No. 1 shall be entitled to rely upon such computation when certifying the District No. 1 Subordinate Required Mill Levy in the applicable levy year, and District No. 2 shall be entitled to rely upon such computation when certifying the District No. 2 Subordinate Required Mill Levy in the applicable levy year.

Section 2.11. Covenant to Impose Capital Mill Levy.

(a) District No. 1 covenants to cause to be levied on all of the taxable property of District No. 1, in addition to all other taxes, direct annual taxes in the amount of the Capital Mill Levy in each year commencing in levy year 2019 and continuing through and including the levy year immediately preceding the year in which the Agreement Termination Date occurs. Nothing herein shall be construed to require District No. 1 to levy an ad valorem property tax for the purposes stated herein in excess of the Capital Mill Levy.

(b) The foregoing provisions of this Agreement are hereby declared to be the certification of the District No. 1 Board to the board or boards of county commissioners of each county in which taxable real or personal property of District No. 1 is located, showing the aggregate amount of taxes to be levied from time to time, in the manner required by law, for the purposes stated in this Agreement.

(c) It shall be the duty of the District No. 1 Board, annually, at the time and in the manner provided by law for levying other District No. 1 taxes, to ratify and carry out the provisions hereof with reference to the levying and collection of taxes; and the Board shall levy, certify, and collect said taxes in the manner provided by law for the purposes stated in this Agreement.

(d) Said taxes shall be levied, assessed, collected, and enforced at the time and in the form and manner and with like interest and penalties as other general taxes in the State of Colorado, and when collected said taxes shall be paid to District No. 1 as provided by law. The Board shall take all necessary and proper steps to enforce promptly the payment of taxes levied pursuant to this Agreement.

Section 2.12. Additional Covenants.

(a) District No. 1 will not issue or incur bonds, notes, or other obligations payable in whole or in part from, or constituting a lien upon the Capital Revenue or any portion thereof, and will not otherwise assign or pledge the Capital Revenue or any portion thereof to any person other than District No. 2 as provided herein.

(b) District No. 1 shall not enter into agreement, or amend or supplement or consent to the amendment or supplement of any agreement to which it is a party or by which it or its property is bound which, in the reasonable judgment of District No. 1, would impair or reduce its Payment Obligation or the ability of District No. 1 to perform its obligations hereunder.

(c) The Districts shall keep and maintain, or cause to be kept and maintained, accurate records and accounting entries reflecting all moneys received or delivered pursuant to this Agreement and the use(s) of such moneys.

(d) District No. 1 shall annually allocate (or cause to be allocated) the total amount of Capital Revenue actually collected by District No. 1 and paid to District No. 2 under this Agreement each year to the voter authorized indebtedness in the category of "Intergovernmental Agreements" obtained pursuant to The District No. 1 Election. District No. 1 shall make (or cause to be made) such allocation annually in District No. 1's audited financial statements.

(e) District No. 1 will maintain its existence and shall not merge or otherwise alter its corporate structure in any manner or to any extent as might impair its obligations hereunder, and District No. 1 will continue to operate and manage District No. 1 in an efficient and economical manner in accordance with all applicable laws, rules, and regulations.

(f) District No. 1 agrees that the District No. 1 Accountant is and will in the future constitute a Certified Public Accountant with expertise in the area of Colorado metropolitan district accounting.

(g) At least once a year District No. 1 will cause an audit to be performed of the records relating to its revenues and expenditures, and District No. 1 shall use its commercially reasonable efforts to have such audit report completed no later than September 30 of each calendar year. The foregoing covenant shall apply notwithstanding any State law audit exemptions that may exist. In addition, at least once a year in the time and manner provided by law, District No. 1 will cause a budget to be prepared and adopted. Copies of the budget and the audit will be filed and recorded in the places, time, and manner provided by law.

(h) At least once a year District No. 2 will cause an audit to be performed of the records relating to its revenues and expenditures, and District No. 2 shall use its commercially reasonable efforts to have such audit report completed no later than September 30 of each calendar year. The foregoing covenant shall apply notwithstanding any State law audit exemptions that may exist. In addition, at least once a year in the time and manner provided by law, District No. 2 will cause a budget to be prepared and adopted. Copies of the budget and the audit will be filed and recorded in the places, time, and manner provided by law.

(i) The Districts will carry general liability, public officials' liability, and such other forms of insurance coverage on insurable property of the Districts upon the terms and conditions as in the judgment of each of the Districts would ordinarily be carried by entities having similar properties of equal value, such insurance being in such amounts as will protect the Districts and their operations, respectively.

(j) Each official of the Districts or other person having custody of any funds of the Districts or responsible for the handling of such funds, shall be bonded or insured against theft or defalcation at all times.

(k) District No. 1 shall not exclude nor consent to the exclusion of any taxable property from within its boundaries unless 100% of the property owners of such proposed excluded property agree in writing to the imposition of the Capital Mill Levy upon their respective property and the payment to District No. 2 of the revenue derived therefrom in accordance with this Agreement.

ARTICLE III

REPRESENTATIONS AND WARRANTIES

Section 3.01. Representations and Warranties of the Districts. Each of the Districts hereby makes the following representations and warranties to the best of its knowledge:

(a) ***District No. 1.***

(i) District No. 1 is a quasi-municipal corporation and political subdivision duly organized and validly existing under the laws of the State of Colorado.

(ii) District No. 1 has all requisite corporate power and authority to execute, deliver, and to perform its obligations under this Agreement. District No. 1's execution, delivery, and performance of this Agreement has been duly authorized by all necessary action.

(iii) District No. 1 is not in violation of any applicable provisions of law or any order of any court having jurisdiction in the matter, which violation could reasonably be expected to materially adversely affect the ability of District No. 1 to perform its obligations hereunder. The execution, delivery and performance by District No. 1 of its obligations under this Agreement (A) will not

violate any provision of any applicable law or regulation or of any order, writ, judgment or decree of any court, arbitrator, or governmental authority; (B) will not violate any provision of any document or agreement constituting, regulating, or otherwise affecting the operations or activities of District No. 1 in a manner that could reasonably be expected to result in a material adverse effect; and (C) will not violate any provision of, constitute a default under, or result in the creation or imposition of any lien, mortgage, pledge, charge, security interest, or encumbrance of any kind on any of the revenues or other assets of District No. 1 pursuant to the provisions of any mortgage, indenture, contract, agreement, or other undertaking to which District No. 1 is a party or which purports to be binding upon District No. 1, or upon any of its revenues or other assets which could reasonably be expected to result in a material adverse effect.

(iv) District No. 1 has obtained all consents and approvals of, and has made all registrations and declarations with any governmental authority or regulatory body required for the execution, delivery, and performance by District No. 1 of this Agreement.

(v) There is no action, suit, inquiry, investigation, or proceeding to which District No. 1 is a party, at law or in equity, before or by any court, arbitrator, governmental or other board, body, or official which is pending or, to the best knowledge of District No. 1, threatened, in connection with any of the transactions contemplated by this Agreement nor, to the best knowledge of District No. 1 is there any basis therefor, wherein an unfavorable decision, ruling, or finding could reasonably be expected to have a material adverse effect on the validity or enforceability of, or the authority or ability of District No. 1 to perform its obligations under, this Agreement.

(vi) This Agreement constitutes a valid and binding obligation of District No. 1, legally enforceable against District No. 1 in accordance with its terms (except as such enforceability may be limited by bankruptcy, moratorium, or other similar laws affecting creditors' rights generally and provided that the application of equitable remedies is subject to the application of equitable principles).

(vii) The lien of this Agreement on the Capital Revenue is a superior and exclusive pledge and has priority over any and all other obligations and liabilities of District No. 1 which purport to pledge or assign the Capital Revenue or any portion thereof.

(b) ***District No. 2.***

(i) District No. 2 is a quasi-municipal corporation and political subdivision duly organized and validly existing under the laws of the State of Colorado.

(ii) District No. 2 has all requisite corporate power and authority to execute, deliver, and to perform its obligations under this Agreement. District No. 2's execution, delivery, and performance of this Agreement has been duly authorized by all necessary action.

(iii) District No. 2 is not in violation of any applicable provisions of law or any order of any court having jurisdiction in the matter, which violation could reasonably be expected to materially adversely affect the ability of District No. 2 to perform its obligations hereunder. The execution, delivery and performance by District No. 2 of this Agreement (A) will not violate any provision of any applicable law or regulation or of any order, writ, judgment or decree of any court, arbitrator, or governmental authority; (B) will not violate any provision of any document or agreement constituting, regulating, or otherwise affecting the operations or activities of District No. 2 in a manner that could reasonably be expected to result in a material adverse effect; and (C) will not violate any provision of, constitute a default under, or result in the creation or imposition of any lien, mortgage, pledge, charge, security interest, or encumbrance of any kind on any of the revenues or other assets of District No. 2 pursuant to the provisions of any mortgage, indenture, contract, agreement, or other undertaking to which District No. 2 is a party or which purports to be binding upon District No. 2 or upon any of its revenues or other assets which could reasonably be expected to result in a material adverse effect.

(iv) District No. 2 has obtained all consents and approvals of, and has made all registrations and declarations with any governmental authority or regulatory body required for the execution, delivery, and performance by District No. 2 of this Agreement.

(v) There is no action, suit, inquiry, investigation, or proceeding to which District No. 2 is a party, at law or in equity, before or by any court, arbitrator, governmental or other board, body, or official which is pending or, to the best knowledge of District No. 2 threatened, in connection with any of the transactions contemplated by this Agreement nor, to the best knowledge of District No. 2 is there any basis therefor, wherein an unfavorable decision, ruling, or finding could reasonably be expected to have a material adverse effect on the validity or enforceability of, or the authority or ability of District No. 2 to perform its obligations under, this Agreement.

ARTICLE IV

NON-COMPLIANCE AND REMEDIES

Section 4.01. Events of Non-Compliance. The occurrence or existence of any one or more of the following events shall be an "Event of Non-Compliance" hereunder, and there shall be no default or Event of Non-Compliance hereunder except as provided in this Section:

(a) District No. 1 fails or refuses to impose the Capital Mill Levy or any component thereof;

(b) District No. 1 fails or refuses to collect or enforce the collection of the Capital Revenue or any portion thereof;

(c) District No. 1 fails to remit the Capital Revenue or any portion thereof as required by the terms of this Agreement;

(d) any representation or warranty made by any party to this Agreement proves to have been untrue or incomplete in any material respect when made and which untruth or incompleteness would have a material adverse effect upon any other party to this Agreement;

(e) District No. 1's pledge of the Capital Revenue for the purposes stated herein fails to be enforceable with the priority required hereunder;

(f) any party to this Agreement materially fails in the performance of any other of its covenants in this Agreement, and such material failure continues for 60 days after receipt of written notice from the other party specifying such default and requiring the same to be remedied;

(g) District No. 1 commences proceedings for dissolution or consolidation with another metropolitan district during the term of this Agreement; or

(h) (i) any party to this Agreement shall commence any case, proceeding, or other action (A) under any existing or future law of any jurisdiction relating to bankruptcy, insolvency, reorganization, or relief of debtors, seeking to have an order for relief entered with respect to it or seeking to adjudicate it insolvent or a bankrupt or seeking reorganization, arrangement, adjustment, winding up, liquidation, dissolution, composition, or other relief with respect to it or its debts, or (B) seeking appointment of a receiver, trustee, custodian, or other similar official for itself or for any substantial part of its property, or any party shall make a general assignment for the benefit of its creditors; or (ii) there shall be commenced against any party any case, proceeding, or other action of a nature referred to in clause (i) and the same shall remain not dismissed within 90 days following the date of filing; or (iii) there shall be commenced against any party any case, proceeding, or other action seeking issuance of a warrant of attachment, execution, distraint, or similar process against all or any substantial part of its property which results in the entry of an order for any such relief which shall not have been vacated, discharged, stayed, or bonded pending appeal within 90 days from the entry thereof; or (iv) any party shall take action in furtherance of, or indicating its consent to, approval of, or acquiescence in, any of the acts set forth in clause (i), (ii) or (iii) above; or (v) any party shall generally not, or shall be unable to, or shall admit in writing its inability to, pay its debts as they become due.

Section 4.02. Remedies For Events of Non-Compliance. Subject to Section 2.07 hereof, upon the occurrence and continuance of an Event of Non-Compliance, any party may proceed to protect and enforce its rights against the party or parties causing the Event of Non-

Compliance by mandamus or such other suit, action, or special proceedings in equity or at law, in any court of competent jurisdiction, including an action for specific performance. In the event of any litigation or other proceeding to enforce any of the terms, covenants or conditions hereof, the party in such litigation or other proceeding shall obtain, as part of its judgment or award, its reasonable attorneys' fees and costs.

ARTICLE V

MISCELLANEOUS

Section 5.01. Pledge of Revenue. The creation, perfection, enforcement, and priority of District No. 1's pledge under this Agreement to the Bond Trustee on behalf of District No. 2 of the Capital Revenue for the purpose of securing its Payment Obligation hereunder shall be governed by Section 11-57-208 of the Supplemental Act and this Agreement. The Capital Revenue shall immediately be subject to the lien of such pledge without any physical delivery, filing, or further act. The lien of such pledge shall be valid, binding, and enforceable as against all persons having claims of any kind in tort, contract, or otherwise against District No. 1 irrespective of whether such persons have notice of such lien.

Section 5.02. No Recourse against Officers and Agents. Pursuant to Section 11-57-209 of the Supplemental Act, if a member of District No. 1 Board or any officer or agent of District No. 1 acts in good faith, no civil recourse shall be had against such member, officer, or agent for payment or performance of District No. 1's Payment Obligation hereunder. Such recourse shall not be available either directly or indirectly against District No. 1, or otherwise, whether by virtue of any constitution, statute, rule of law, enforcement of penalty, or otherwise. By the acceptance of this Agreement and as a part of the consideration hereof, District No. 2 and, by execution of the Indenture and any other Governing Instrument, the Bond Trustee, each, for themselves and on behalf of the Bondholders from time to time, specifically waive any such recourse.

Section 5.03. Conclusive Recital. Pursuant to Section 11-57-210 of the Supplemental Act, this Agreement is executed and delivered pursuant to certain provisions of the Supplemental Act, and this recital is conclusive evidence of the validity and the regularity of this Agreement after its delivery for value.

Section 5.04. Limitation of Actions. Pursuant to Section 11-57-212, C.R.S., no legal or equitable action brought with respect to any legislative acts or proceedings in connection with the authorization, execution, or delivery of this Agreement shall be commenced more than thirty days after the authorization of this Agreement.

Section 5.05. Notices. Except as otherwise provided herein, all notices, certificates, or other communications required to be given to any of the persons set forth below pursuant to any provision of this Indenture shall be in writing, shall be given either in person or by certified or registered mail, and if mailed, shall be deemed received three (3) days after having been deposited in a receptacle for United States mail, postage prepaid, addressed as follows:

District No. 1: Reata Ridge Village Metropolitan District No. 1
c/o White Bear Ankele Tanaka & Waldron
2154 E. Commons Avenue, Suite 2000
Centennial, Colorado 80122
Attention: Clint Waldron, Esq.
Facsimile: (303) 858-1801
E-mail: cwaldron@wbapc.com

District No. 2: Reata Ridge Village Metropolitan District No. 1
c/o White Bear Ankele Tanaka & Waldron
2154 E. Commons Avenue, Suite 2000
Centennial, Colorado 80122
Attention: Clint Waldron, Esq.
Facsimile: (303) 858-1801
E-mail: cwaldron@wbapc.com

(a) In lieu of mailed notice to any person set forth above, the persons designated above may provide notice by email to any email address set forth above for any other person designated above, or by facsimile transmission to any facsimile number set forth above for such person, and any such notices shall be deemed received upon receipt by the sender of an email or facsimile transmission from such person confirming such receipt, or upon receipt by the sender of such other confirmation of receipt as may be reasonably reliable under the circumstances.

(b) The persons designated above may, by notice given hereunder, designate any further or different addresses to which subsequent notices, certificates, or other communications shall be sent.

(c) Where this Agreement provides for notice in any manner, such notice may be waived in writing by the person entitled to receive such notice, either before or after the event, and such waiver shall be the equivalent of such notice.

Section 5.06. Miscellaneous.

(a) This Agreement constitutes the final, complete, and exclusive statement of the terms of the agreement between the parties pertaining to the subject matter of this Agreement and supersedes all prior and contemporaneous understandings or agreements of the parties. This Agreement may not be contradicted by evidence of any prior or contemporaneous statements or agreements. No party has been induced to enter into this Agreement by, nor is any party relying on, any representation, understanding, agreement, commitment, or warranty outside those expressly set forth in this Agreement.

(b) If any term or provision of this Agreement is determined to be illegal, unenforceable, or invalid in whole or in part for any reason, such illegal, unenforceable, or invalid provisions or part thereof shall be stricken from this Agreement, and such provision shall not affect the legality, enforceability, or validity of the remainder of this Agreement. If any provision or part thereof of this Agreement is stricken in accordance

with the provisions hereof, then such stricken provision shall be replaced, to the extent possible, with a legal, enforceable, and valid provision that is as similar in tenor to the stricken provision as is legally possible.

(c) This Agreement may not be assigned or transferred by any party without the prior written consent of each of the other parties.

(d) This Agreement shall be governed by and construed under the applicable laws of the State.

(e) This Agreement may be amended or supplemented by the parties, but any such amendment or supplement must be in writing and must be executed by all parties.

(f) Each party has participated fully in the review and creation of this Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in interpreting this Agreement. The language in this Agreement shall be interpreted as to its fair meaning and not strictly for or against any party.

(g) This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

(h) Time is of the essence hereof; provided, however, that if the last day permitted or the date otherwise determined for the performance of any act required or permitted under this Agreement falls on a Saturday, Sunday or legal holiday, the time for performance shall be extended to the next succeeding business day, unless otherwise expressly stated.

(i) The Districts shall have the right to access and review each other's records and accounts, on reasonable times during District's regular office hours, for purposes of determining compliance by the Districts with the terms of this Agreement. Such access shall be subject to the provisions of Public Records Act of the State of Colorado contained in Article 72 of Title 24, C.R.S. In the event of disputes or litigation between the parties hereto, all access and requests for such records shall be made in compliance with the Public Records Act.

(j) District No. 1 covenants that it will do, execute, acknowledge, and deliver or cause to be done, executed, acknowledged, and delivered, such acts, instruments, and transfers as may reasonably be required for the performance of its obligations hereunder.

Section 5.07. Third Party Beneficiaries.

(a) District No. 1 acknowledges that the Bond Trustee must be entitled to rely on the performance by District No. 1 of its Payment Obligation hereunder for the benefit of the Bondholders from time to time under the applicable Governing Instruments. In addition, other third parties may provide letters of credit, bond purchase agreements, liquidity instruments, interest rate protection agreements and other financial products providing security for District Obligations (collectively, "Credit Enhancement

Providers”) and, as a result, such Credit Enhancement Providers, if any, must also be entitled to rely on the Payment Obligation of District No. 1 hereunder. Accordingly, (a) each Bond Trustee shall be a third party beneficiary hereunder for the benefit of the Bondholders from time to time under the applicable Governing Instruments and (b) each Credit Enhancement Provider for District Obligations shall be a third party beneficiary hereunder; *provided, however*, that the Bond Trustees and Credit Enhancement Providers shall constitute third party beneficiaries solely with respect to District No. 1’s Payment Obligation and the obligation of District No. 1 to impose, collect and enforce the collection of the Capital Revenue as provided herein. Nothing in this Section 5.07(a) or elsewhere in this Agreement shall be construed as giving any third party beneficiary any rights other than as specified in the preceding sentence, and in no event shall any third party beneficiary of this Agreement have any right of prior consent to any amendments hereto.

(b) It is intended that there be no third party beneficiaries of this Agreement other than the third party beneficiaries specifically named in Section 5.07(a) above and nothing contained herein, expressed or implied, is intended to give to any person any claim, remedy, or right under or pursuant hereto, and any agreement, condition, covenant, or term contained herein required to be observed or performed by or on behalf of any party hereto shall be for the sole and exclusive benefit of the other party.

Section 5.08. Effective Date and Agreement Termination Date. This Agreement shall become effective on the Effective Date and, subject to the provisions of Section 2.01(c) hereof, shall remain in effect until the Agreement Termination Date unless earlier terminated pursuant to mutual written agreement of the Districts; provided, however, that if any District Obligations are Outstanding, any such earlier termination of this Agreement shall be subject to the applicable provisions of all Governing Instruments then in effect. On the Agreement Termination Date this Agreement shall be deemed fully satisfied, all obligations of the parties hereto shall be discharged, and this Agreement shall terminate and no longer be of any force or effect.

[End of Capital Pledge Agreement; Signatures Appear on Following Page]

IN WITNESS WHEREOF, the authorized officers of District No. 1 and District No. 2 have executed this Capital Pledge Agreement as of the day and year first above written.

REATA RIDGE VILLAGE METROPOLITAN
DISTRICT NO. 1

By _____
President

[SEAL]

ATTEST:

Secretary or Assistant Secretary

REATA RIDGE VILLAGE METROPOLITAN
DISTRICT NO. 2

By _____
President

[SEAL]

ATTEST:

Secretary or Assistant Secretary

[Signature Page to Capital Pledge Agreement]



Request for Town Council Action

Date: November 4, 2019
Submitted By: Danny Smith, Streets Manager
Reviewed By: Michelle Kivela, Town Administrator
Title: **2019 Townwide Concrete Replacement Program (CIP19-006)
Contract Modification**

Amount: \$235,000
Contractor: Stone & Concrete, Inc
Department: Engineering and Public Works, Danny Smith

EXECUTIVE SUMMARY

This item is to award a contract modification to Stone & Concrete, Inc., for the 2019 Townwide Concrete Replacement Program (CIP 19-006) in the amount of \$235,000, for a revised contract amount of \$1,386,381.50. Funding for this contract has been appropriated in the Engineering & Public Works Department/Streets Division repair and maintenance (R&M) accounts.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town of Parker, through the open competitive bid process, awarded the 2019 Townwide concrete replacement program (CIP19-006) contract to Stone & Concrete, Inc., on April 15, 2019 in the amount of \$1,065,381.50. The contract was modified to increase the total contract amount to \$1,151,381.50 and this was approved by Town Council on July 01, 2019 for for additional new sidewalk associated with Bar CCC park. This proposed contract modification will allow the Townwide concrete replacement program to address additional removal and replacement of damaged concrete on Town streets, including curb, gutter, and sidewalk.

FINANCIAL IMPACT

Savings realized in the 2019 resurfacing contract have resulted in \$235,000 in available repair and maintenance (R&M) funds for additional needed concrete replacement. Staff has identified additional locations throughout Town needing repair and replacement. This includes concrete street panel replacement and curb, gutter, sidewalk repair.

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY



SUPPORT AN
ACTIVE COMMUNITY

ATTACHMENTS

None

RECOMMENDED MOTION

I move to approve the staff recommendation, as part of the consent agenda.



Request for Town Council Action

Date: November 4, 2019

Submitted By: Mary Lou Brown, Finance Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 1.539 - First Reading**
A Bill for an Ordinance to Adopt the 2020 Budget and to
Make Appropriations for the Same

Department: Finance, Mary Lou Brown
Second Reading: December 2, 2019

EXECUTIVE SUMMARY

The 2020 Town of Parker Budget is submitted for Town Council approval.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The 2020 Town of Parker Annual Budget has been prepared for Town Council consideration and approval.

Staff is required by Town Charter to submit a budget for the coming year to Council prior to October 15, 2019. The document was emailed to Council on Wednesday, October 9, 2019, and posted on the Town of Parker Internet site on Friday, October 11, 2019, in compliance with that requirement. In addition, a budget retreat was held on September 27, 2019, where the Town budgets were reviewed. On October 28, 2019, a study session was held with Council.

The projected budget is balanced across all funds. The General Fund cash balance meets the requirement of maintaining at least a 25% reserve equal to the total annual General Fund appropriations.

FINANCIAL IMPACT

The budget establishes the approved appropriation levels by fund for 2020.

STRATEGIC GOAL(S)



**SUPPORT AN
ACTIVE COMMUNITY**



**FOSTER COMMUNITY
CREATIVITY AND
ENGAGEMENT**



**INNOVATE WITH
COLLABORATIVE
GOVERNANCE**



**ENHANCE ECONOMIC
VITALITY**



**PROMOTE A SAFE AND
HEALTHY COMMUNITY**



**DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH**

ATTACHMENTS

1. Ordinance No. 1.539

RECOMMENDED MOTION

I move to approve Ordinance No 1.52 on first reading and to schedule second reading and Public Hearing for December 2, 2020.

ORDINANCE NO. 1.539, Series of 2019

TITLE: A BILL FOR AN ORDINANCE TO ADOPT THE 2020 BUDGET AND TO MAKE APPROPRIATIONS FOR THE SAME

WHEREAS, the Home Rule Charter of the Town of Parker specifies that a proposed budget be presented to the Town Council on or before the fifteenth day of October of each year;

WHEREAS, the proposed budget for 2020 was presented by the Town Administrator on September 27, 2019; and

WHEREAS, upon due and proper notice published and posted in accordance with the Town of Parker Home Rule Charter, said proposed budget was open for inspection by the public at the Town Hall, and Public Hearings were held on November 4, 2019, and December 2, 2019, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. The 2020 budget for the Town of Parker, Colorado, which is attached hereto as **Exhibit A** and incorporated by this reference, is hereby adopted and the monies are appropriated to the various funds as the same are budgeted.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2019.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2019.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

Exhibit A
Town of Parker
2020 Annual Budget

General Fund

Beginning Fund Balance	\$ 17,415,736.31
Revenues	53,642,495.00
Expenditures	<u>53,701,178.72</u>
Ending Fund Balance	<u><u>\$ 17,357,052.59</u></u>

Conservation Trust Fund

Beginning Fund Balance	\$ 314,969.69
Revenues	510,100.00
Expenditures	<u>525,000.00</u>
Ending Fund Balance	<u><u>\$ 300,069.69</u></u>

Parks and Recreation Fund

Beginning Fund Balance	\$ 7,018,503.38
Revenues	8,804,880.00
Expenditures	<u>8,681,928.00</u>
Ending Fund Balance	<u><u>\$ 7,141,455.38</u></u>

Law Enforcement Assistance Fund

Beginning Fund Balance	\$ 140,759.00
Revenues	88,000.00
Expenditures	<u>99,837.00</u>
Ending Fund Balance	<u><u>\$ 128,922.00</u></u>

Cultural Fund

Beginning Fund Balance	\$ 120,885.25
Revenues	5,119,141.00
Expenditures	<u>5,208,222.43</u>
Ending Fund Balance	<u><u>\$ 31,803.82</u></u>

Recreation Fund

Beginning Fund Balance	\$ 1,353,076.85
Revenues	8,847,495.00
Expenditures	<u>9,458,698.36</u>
Ending Fund Balance	<u><u>\$ 741,873.49</u></u>

Capital Renewal and Replacement Fund

Beginning Fund Balance	\$ 1,969,679.00
Revenues	30,000.00
Expenditures	-
Ending Fund Balance	<u>\$ 1,999,679.00</u>

Public Improvements Fund

Beginning Fund Balance	\$ 17,553,608.00
Revenues	19,714,705.00
Expenditures	19,360,000.00
Ending Fund Balance	<u>\$ 17,908,313.00</u>

Excise Tax Fund

Beginning Fund Balance	\$ 9,224,453.00
Revenues	2,745,000.00
Expenditures	2,120,000.00
Ending Fund Balance	<u>\$ 9,849,453.00</u>

Parkglenn Construction Fund

Beginning Fund Balance	\$ 209,123.00
Revenues	3,200.00
Expenditures	-
Ending Fund Balance	<u>\$ 212,323.00</u>

General Debt Service Fund

Beginning Fund Balance	\$ -
Revenues	942,451.00
Expenditures	942,451.00
Ending Fund Balance	<u>\$ -</u>

Recreation Debt Service Fund

Beginning Fund Balance	\$ -
Revenues	1,584,894.00
Expenditures	1,584,894.00
Ending Fund Balance	<u>\$ -</u>

Stormwater Utility Fund

Beginning Fund Balance	\$ 5,306,553.00
Revenues	3,031,300.00
Expenditures	3,504,630.29
Ending Fund Balance	<u>\$ 4,833,222.71</u>

Fleet Services Fund

Beginning Fund Balance	\$ 1,292,714.00
Revenues	2,721,689.00
Expenditures	<u>2,226,272.43</u>
Ending Fund Balance	<u><u>\$ 1,788,130.57</u></u>

Technology Management Fund

Beginning Fund Balance	\$ 1,179,182.00
Revenues	4,057,039.00
Expenditures	<u>4,125,461.58</u>
Ending Fund Balance	<u><u>\$ 1,110,759.42</u></u>

Facility Services Fund

Beginning Fund Balance	\$ 56,859.00
Revenues	1,157,551.00
Expenditures	<u>1,137,034.83</u>
Ending Fund Balance	<u><u>\$ 77,375.17</u></u>

Medical Benefits Fund

Beginning Fund Balance	\$ 832,326.00
Revenues	4,375,509.00
Expenditures	<u>4,123,688.00</u>
Ending Fund Balance	<u><u>\$ 1,084,147.00</u></u>



Request for Town Council Action

Date: November 4, 2019

Submitted By: Carolyn Parkinson, Planner I
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **NEWLIN CROSSING FILING NO. 1 - Minor Development Plat**

Applicant: Plan West - Representative, David Brehm

Location: Generally located at the northeast corner of Mainstreet and Chambers Road

Department: Community Development, Carolyn Parkinson

TRAKiT No.: SUB19-013

EXECUTIVE SUMMARY

The subject property known as the Newlin Crossing Planned Development is located at the northeast corner of Mainstreet and Chambers Road. The applicant, Plan West, has submitted a Minor Development Plat application to subdivide the 101-acre property into 16 unbuildable tracts. The tracts would accommodate future residential, commercial, roadway, trail and open space uses consistent with the existing Planned Development (PD) zoning. The intent of the application is to prepare the site for future development and create marketable tracts for sale.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The subject property was annexed into the Town in 2016 and zoned as the Newlin Crossing Planned Development (PD). The PD zoning allows up to 450 residential units, 14.5 acres of commercial development and approximately 19 acres of open space. As required by the Annexation Agreement, the Minor Development Plat (MDP) includes separate tracts (O, P) for the future Newlin Gulch Trail. This is a regional trail that will be constructed through the subject property with future development and connect to existing segments that

have been constructed north and south of the site.

The proposed MDP incorporates two access points for the overall site development; one on Mainstreet and one on Chambers Road. These form the backbone for the future street network internal to the site that will be constructed with future development. The MDP also reserves the right-of-way for a future collector road through the site and Tracts O and P for the planned Newlin Gulch Trail. The residential local streets and other bicycle/pedestrian improvements will be planned and designed as part of future development applications.

If approved, the proposed MDP will create unbuildable tracts that may be sold to developers but are not yet developable. The purchasers of the unbuildable tracts will need to plan and design their development projects, submit development applications for review and obtain approvals from the Town. This process will address residential subdivision design; commercial site plan design; the parks, trails and open space system and all infrastructure necessary to support development.

Staff has reviewed the proposed MDP against the Parker 2035 Master Plan and has determined that the request is consistent with the goals of the Plan. The proposal would create tracts for future residential and commercial use with an internal street network and parks, trails and open space that are consistent with Medium Density Residential and Neighborhood Commercial Center designations in the Master Plan for this area.

The Planning Commission held a public hearing on October 10, 2019 and voted 6-0 to recommend that Town Council approve the proposed MDP.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



ENHANCE ECONOMIC
VITALITY



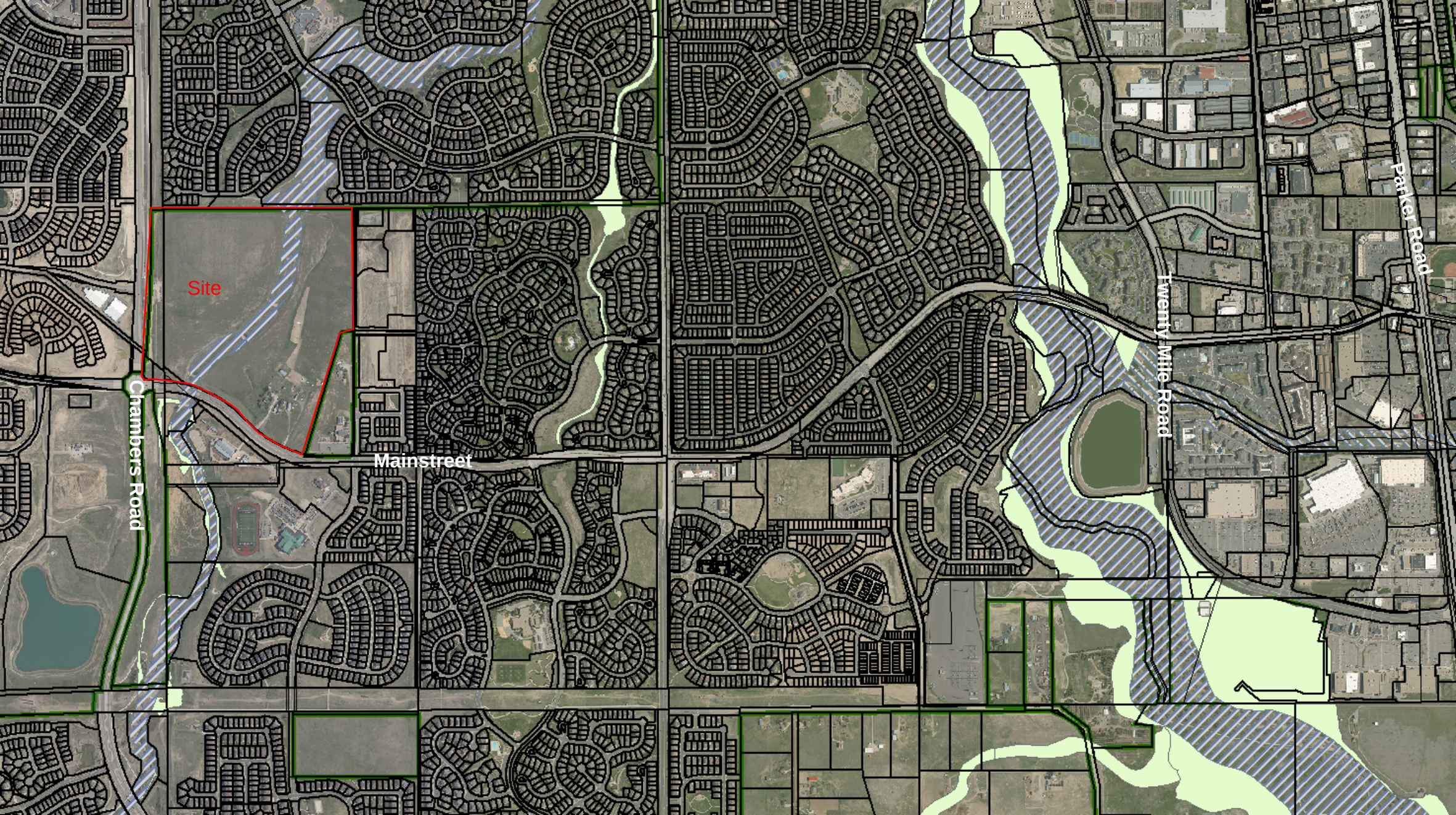
DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH

ATTACHMENTS

1. Vicinity map
2. Minor Development Plat
3. Referral Comments
4. Planning Commission Staff Report

RECOMMENDED MOTION

I move to approve the Newlin Crossing Filing No.1 - Minor Development Plat, based on staff findings.



Site

Chambers Road

Mainstreet

Twenty Mile Road

Parker Road

LEGAL DESCRIPTION

A PARCEL OF LAND BEING TRACTS B AND C INCLUSIVE, MAINSTREET AND CHAMBERS EAST SUBDIVISION FILING NO. 1 SUBDIVISION EXEMPTION PLAT RECORDED AUGUST 22, 2019 AT RECEPTION NO. 2019052525, ALL OF TRACT A, MAINSTREET–WEST–RIGHT–OF–WAY SUBDIVISION EXEMPTION PLAT RECORDED JULY 24, 2015 AT RECEPTION NO. 2015052262, A PORTION OF THAT CERTAIN PARCEL DESCRIBED IN QUIT CLAIM DEED RECORDED MAY 21, 2015 AT RECEPTION NO. 2015033275 ALL RECORDED IN THE OFFICIAL RECORDS OF THE CLERK AND RECORDER, COUNTY OF DOUGLAS, STATE OF COLORADO, AND A PORTION OF THE NORTHWEST QUARTER OF SECTION 20 AND THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 6 SOUTH, RANGE 66 WEST, SIXTH PRINCIPAL MERIDIAN, SAID COUNTY AND STATE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 20;

THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER NORTH 89°38'10" EAST, A DISTANCE OF 2005.73 FEET TO THE NORTHWEST CORNER OF CAROUSEL FARMS SUBDIVISION FILING NO. 1 FINAL PLAT RECORDED SEPTEMBER 21, 2016 AT RECEPTION NO. 2016066033 IN SAID OFFICIAL RECORDS;

THENCE ALONG THE WESTERLY BOUNDARY OF SAID CAROUSEL FARMS SUBDIVISION FILING NO. 1 FINAL PLAT SOUTH 00°17'07" EAST, A DISTANCE OF 1292.00 FEET;

THENCE DEPARTING SAID WESTERLY BOUNDARY SOUTH 89°38'46" WEST, A DISTANCE OF 130.00 FEET;

THENCE SOUTH 16°30'07" WEST, A DISTANCE OF 1355.77 FEET TO THE NORTHERLY RIGHT–OF–WAY OF MAINSTREET AS DEPICTED ON SAID MAINSTREET–WEST–RIGHT–OF–WAY SUBDIVISION EXEMPTION PLAT AND THE BEGINNING OF A NON–TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1140.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 12°15'56" EAST;

THENCE ALONG SAID NORTHERLY RIGHT–OF–WAY, THE SOUTHERLY AND WESTERLY BOUNDARY OF SAID MAINSTREET AND CHAMBERS EAST SUBDIVISION FILING NO. 1 SUBDIVISION EXEMPTION PLAT AND THE EASTERLY RIGHT–OF–WAY OF SOUTH CHAMBERS ROAD AS DESCRIBED IN SPECIAL WARRANTY DEED RECORDED JUNE 10, 2005 AT RECEPTION NO. 2005052742 IN SAID OFFICIAL RECORDS THE FOLLOWING FIFTEEN (15) COURSES:

1. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°09'15", AN ARC LENGTH OF 599.97 FEET;
2. NORTH 47°34'49" WEST, TANGENT TO SAID CURVE, A DISTANCE OF 258.90 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1260.00 FEET;
3. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°54'39", AN ARC LENGTH OF 635.78 FEET;
4. SOUTH 13°30'36" WEST, NON–TANGENT TO SAID CURVE, A DISTANCE OF 5.23 FEET;
5. NORTH 78°45'29" WEST, A DISTANCE OF 97.72 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 78.00 FEET;
6. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°30'15", AN ARC LENGTH OF 14.30 FEET;
7. NORTH 68°15'05" WEST, NON–TANGENT TO SAID CURVE, A DISTANCE OF 28.82 FEET TO THE BEGINNING OF A NON–TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 115.00 FEET THE RADIUS POINT OF SAID CURVE BEARS SOUTH 22°09'00" WEST;
8. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°05'46", AN ARC LENGTH OF 30.30 FEET;
9. NORTH 82°56'46" WEST, TANGENT TO SAID CURVE, A DISTANCE OF 94.80 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 600.00 FEET;
10. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°57'06", AN ARC LENGTH OF 51.85 FEET;
11. NORTH 87°53'52" WEST, TANGENT TO SAID CURVE, A DISTANCE OF 41.07 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 61.50 FEET;
12. THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°59'36", AN ARC LENGTH OF 97.67 FEET;
13. NORTH 03°05'44" EAST, TANGENT TO SAID CURVE, A DISTANCE OF 899.47 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 10080.00 FEET;
14. NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°46'49", AN ARC LENGTH OF 665.06 FEET;
15. NORTH 00°41'05" WEST, TANGENT TO SAID CURVE, A DISTANCE OF 152.92 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 19;

THENCE ALONG SAID NORTH LINE NORTH 88°20'40"EAST, A DISTANCE OF 128.55 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 101.113 ACRES, (4,404,495 SQUARE FEET), MORE OR LESS.

PURPOSE STATEMENT

THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE A TRACT OF LAND SITUATED IN THE NORTHWEST 1/4 OF SECTION 20 AND THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO.

DEDICATION STATEMENT

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST OF THE LANDS DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED AND PLATTED SAID LANDS INTO 16 TRACTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF **NEWLIN CROSSING FILING NO. 1**. THE UTILITY EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND CABLE COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES ARE RESPONSIBLE FOR PROVIDING THE UTILITY SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES. THE OWNERS OF THE LANDS DESCRIBED HEREIN ARE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF DRAINAGE EASEMENTS SHOWN HEREON AND RELATED FACILITIES, AS PROVIDED IN THE STORM DRAINAGE AND ENVIRONMENTAL CRITERIA MANUAL, AS AMENDED. THE UNDERSIGNED GRANTS THE TOWN OF PARKER A PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTY TO MAINTAIN, OPERATE AND RECONSTRUCT THE DRAINAGE EASEMENTS AND RELATED FACILITIES COVERED BY CHAPTER 4.08 OF THE PARKER MUNICIPAL CODE, AS AMENDED; AND TO MAINTAIN, OPERATE AND RECONSTRUCT THE DRAINAGE EASEMENTS AND RELATED FACILITIES NOT COVERED BY CHAPTER 4.08 OF THE PARKER MUNICIPAL CODE AS AMENDED, WHEN THE OWNER(S) FAIL TO ADEQUATELY MAINTAIN SUCH DRAINAGE EASEMENTS AND RELATED FACILITIES, WHICH MAINTENANCE, OPERATION AND RECONSTRUCTION SHALL BE AT THE COST OF THE OWNER(S). ALL PUBLIC STREETS AND RIGHTS–OF–WAY SHOWN HEREON ARE DEDICATED AND CONVEYED TO THE TOWN OF PARKER, COLORADO, IN FEE SIMPLE ABSOLUTE, FOR PUBLIC USES AND PURPOSES. DRAINAGE AND DETENTION EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED TO THE TOWN. THE TOWN IS HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO THE ADJACENT PROPERTIES FOR CONSTRUCTION, REPAIR, MAINTENANCE, OPERATION AND REPLACEMENT OF STORM SEWERS AND DRAINAGE FACILITIES. THE UNDERSIGNED GRANTS TO THE TOWN A SIGHT EASEMENT(S) AS SHOWN HEREON WITHIN THE SUBDIVISION TO MAINTAIN ADEQUATE SIGHT DISTANCE AT ALL ROADWAY INTERSECTIONS AS PROVIDED BY THE TOWN OF PARKER ROADWAY DESIGN AND CONSTRUCTION CRITERIA MANUAL, AS AMENDED. THE TOWN IS HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS ACROSS ALL LOTS AND TRACTS WITHIN THE SUBDIVISION TO REMOVE ANY OBSTRUCTION TO THE PROPER SITE DISTANCE, INCLUDING, BUT NOT LIMITED TO, ANY STRUCTURE, FENCE, UTILITY BOX, RAISED MEDIAN AND LANDSCAPING, AT THE SOLE COST AND EXPENSE OF THE OWNER OF THE LOT AND/OR TRACT UPON WHICH SUCH OBSTRUCTION IS SITUATED. THE OWNERS OR ADJACENT PROPERTY OWNERS OF THE LANDS ARE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF SIGHT EASEMENTS SHOWN HEREON. WHEN THE OWNER(S) OR ADJACENT OWNERS FAIL TO ADEQUATELY MAINTAIN SUCH SIGHT EASEMENTS, THE MAINTENANCE, OPERATION AND RECONSTRUCTION SHALL BE AT THE COST OF THE OWNER(S).

98 W. PARKER, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP
BY: LSP INVESTMENTS, LLP, A COLORADO LIMITED LIABILITY PARTNERSHIP, ITS GENERAL PARTNER

WESLEY A. SEGELKE, AS MANAGING GENERAL PARTNER
STATE OF COLORADO)
) SS
COUNTY OF)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY WESLEY A. SEGELKE AS MANAGING GENERAL PARTNER OF LSP INVESTMENTS, LLP, A COLORADO LIMITED LIABILITY PARTNERSHIP, AS GENERAL PARTNER OF **98 W. PARKER, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP**
WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____
NOTARY PUBLIC

TOWN OF PARKER

BY: _____
TITLE: _____
STATE OF COLORADO)
) SS
COUNTY OF DOUGLAS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY _____ AS _____

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____
NOTARY PUBLIC

MORTGAGEE:
PLAMOR INVESTMENT COMPANY, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP

BY: _____
JILL D. PEDICORD PETERSON, AS GENERAL PARTNER

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY JILL D. PEDICORD PETERSON, AS A GENERAL PARTNER OF THE PLAMOR INVESTMENT COMPANY, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP

WITNESS MY HAND AND OFFICIAL SEAL;

NOTARY PUBLIC

MY COMMISSION EXPIRES

MORTGAGEE:

BY: _____
JULIE PEDICORD ADAMS, INDIVIDUAL

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY JULIE PEDICORD ADAMS, INDIVIDUAL,
WITNESS MY HAND AND OFFICIAL SEAL;

NOTARY PUBLIC

MY COMMISSION EXPIRES

NEWLIN CROSSING FILING NO. 1
A PLAT OF A PARCEL OF LAND LOCATED WITHIN THE
NORTHWEST QUARTER OF SECTION 20 AND NORTHEAST QUARTER OF SECTION 19,
ALL IN TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO.
101.113 ACRES – 16 TRACTS
SHEET 1 OF 2

ACKNOWLEDGEMENT

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST OF THE LANDS DESCRIBED HEREIN, HEREBY ACKNOWLEDGE THAT ANY SUBDIVISION APPROVAL OBTAINED BY THE TOWN OF PARKER DOES NOT OBIVATE SAID UNDERSIGNED'S NEED OR RESPONSIBILITY TO COMPLY WITH THE REQUIREMENTS OF THE ENDANGERED SPECIES ACT OF 1973, 16 U.S.C. §1 531, ET SEQ., AS AMENDED, OR WITH ANY OTHER APPLICABLE FEDERAL, STATE OR LOCAL LAWS OR REGULATIONS.

98 W. PARKER, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP

BY: LSP INVESTMENTS, LLP, A COLORADO LIMITED LIABILITY PARTNERSHIP, ITS GENERAL PARTNER

BY: WESLEY A. SEGELKE, AS MANAGING GENERAL PARTNER

STATE OF COLORADO)
) SS
COUNTY OF)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY WESLEY A. SEGELKE, AS MANAGING GENERAL PARTNER OF LSP INVESTMENTS, LLP, A COLORADO LIMITED LIABILITY PARTNERSHIP, AS GENERAL PARTNER OF **98 W. PARKER, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP**

WITNESS MY HAND AND OFFICIAL SEAL:

NOTARY PUBLIC

MY COMMISSION EXPIRES

TOWN OF PARKER, COLORADO

TOWN CLERK

STATE OF COLORADO)
) SS
COUNTY OF DOUGLAS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY _____, AS TOWN CLERK, OF **TOWN OF PARKER, COLORADO**

WITNESS MY HAND AND OFFICIAL SEAL:

NOTARY PUBLIC

MY COMMISSION EXPIRES

MORTGAGEE:

PLAMOR INVESTMENT COMPANY, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP

BY: _____
JILL D. PEDICORD PETERSON, AS GENERAL PARTNER

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY JILL D. PEDICORD PETERSON, AS A GENERAL PARTNER OF THE PLAMOR INVESTMENT COMPANY, LLLP, A COLORADO LIMITED LIABILITY LIMITED PARTNERSHIP

WITNESS MY HAND AND OFFICIAL SEAL:

NOTARY PUBLIC

MY COMMISSION EXPIRES

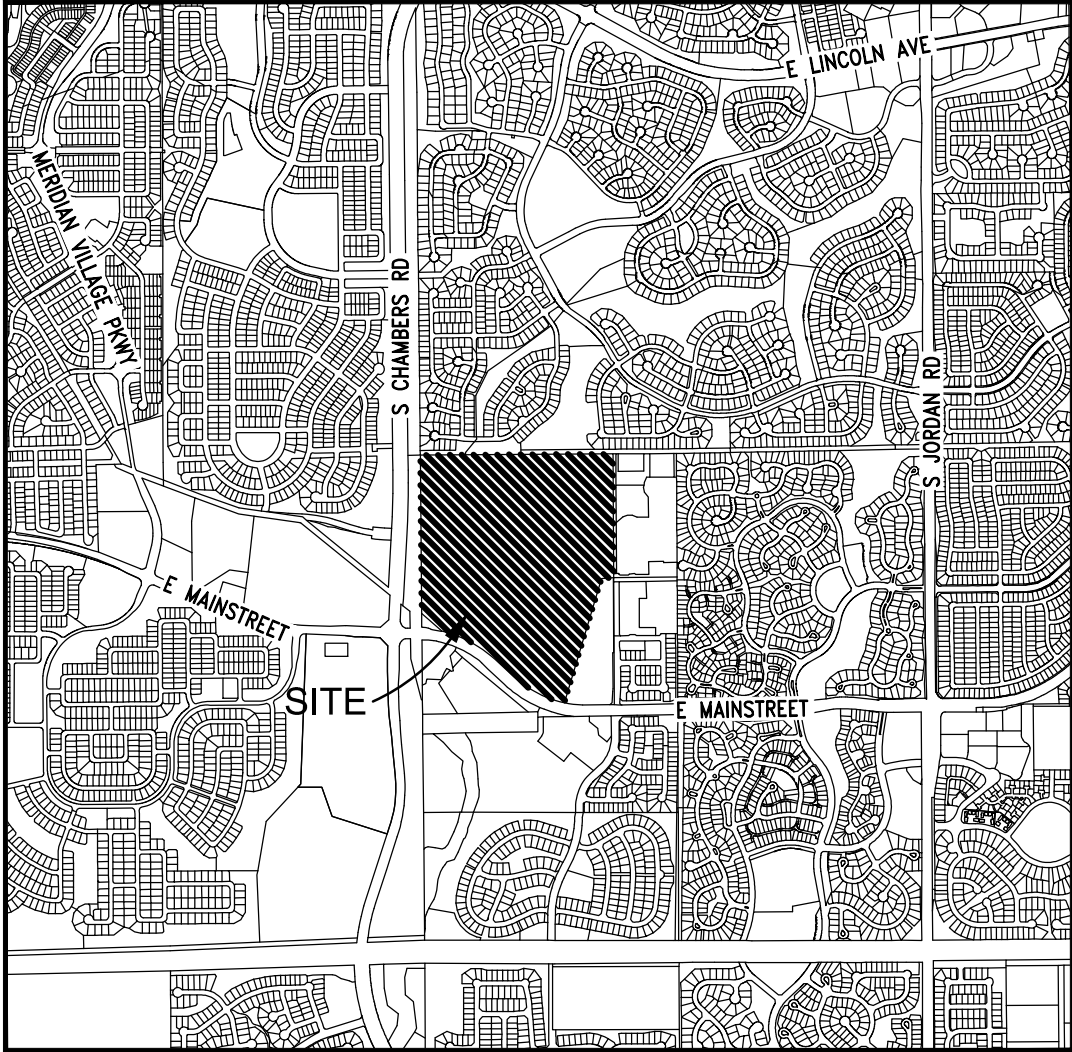
MORTGAGEE:

BY: _____
JULIE PEDICORD ADAMS, INDIVIDUAL

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY JULIE PEDICORD ADAMS, INDIVIDUAL.
WITNESS MY HAND AND OFFICIAL SEAL;

NOTARY PUBLIC

MY COMMISSION EXPIRES



VICINITY MAP
SCALE 1" = 2,000'



TITLE VERIFICATION

WE, LAND TITLE GUARANTEE COMPANY, A QUALIFIED TITLE INSURANCE COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LAND PLATTED HEREON AND THAT TITLE TO SUCH LAND IS IN THE DEDICATOR(S) FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT AS SHOWN IN LAND TITLE GUARANTEE COMPANY COMMITMENT NO. ABC70605410 WITH AN EFFECTIVE DATE OF OCTOBER 11, 2019 AT 5:00 P.M.

BY: _____

TITLE: _____

DATE: _____

STATE OF COLORADO)
) SS
COUNTY OF)

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY _____, AS _____, OF LAND TITLE GUARANTEE COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL:

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

TOWN APPROVAL CERTIFICATE

THIS PLAT WAS APPROVED BY THE TOWN COUNCIL AND/OR, WHERE APPLICABLE, THE PLANNING DIRECTOR AND DIRECTOR OF ENGINEERING OF THE TOWN OF PARKER, COLORADO, ON THE _____ DAY OF _____, 20____, FOR FILING. THE DEDICATIONS ARE HEREBY ACCEPTED.

ALL EXPENSES INCURRED WITH RESPECT TO IMPROVEMENTS FOR ALL UTILITY SERVICES, PAVING, GRADING, CURBS, GUTTER, SIDEWALKS, ROAD LIGHTING, ROAD SIGNS, FLOOD PROTECTION DEVICES, DRAINAGE STRUCTURES AND ALL OTHER IMPROVEMENTS THAT MAY BE REQUIRED SHALL BE THE RESPONSIBILITY OF THE SUBDIVIDER AND NOT THE TOWN OF PARKER. THE TOWN SHALL ONLY ACCEPT MAINTENANCE OF THE ROADWAY IMPROVEMENTS AFTER CONSTRUCTION HAS BEEN COMPLETED, AND AFTER THE WARRANTY PERIOD, IN ACCORDANCE WITH TOWN REGULATIONS.

THIS ACCEPTANCE DOES NOT GUARANTEE THAT THE SOIL CONDITIONS, SUBSURFACE GEOLOGY, GROUNDWATER CONDITIONS OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT WILL BE ISSUED.

MAYOR, TOWN OF PARKER

ATTEST: _____
TOWN CLERK

PLANNING COMMISSION CERTIFICATE

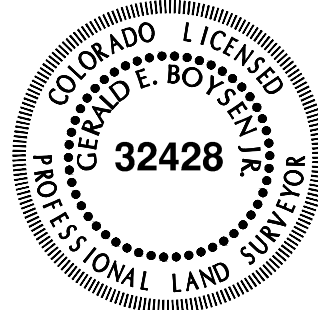
THIS PLAT WAS REVIEWED BY THE PLANNING COMMISSION ON _____, 20____.

PLANNING DIRECTOR, ON BEHALF OF THE PLANNING COMMISSION

SURVEYOR'S CERTIFICATE

I, GERALD E. BOYSEN, JR., A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF **NEWLIN CROSSING FILING NO. 1** WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION ON OR ABOUT THE 12TH DAY OF OCTOBER 2018, AND THAT THE SURVEY IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF THAT ALL MONUMENTS EXIST AS SHOWN HEREON; IT HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 (SECOND ORDER); AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND AND ALL PROVISIONS, WITHIN MY CONTROL, OF THE TOWN SUBDIVISION REGULATIONS. THIS SURVEY IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED, AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID MINOR DEVELOPMENT PLAT AND THE SURVEY THEREOF.

I ATTEST THE ABOVE ON THIS _____ DAY OF _____, 20____.



GERALD E. BOYSEN, JR., PLS 32428
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
) SS
COUNTY OF DOUGLAS)

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS _____ DAY OF _____, 20____, A.D.,

AT _____ A.M./P.M. AND WAS RECORDED AT RECEPTION NO. _____.

DOUGLAS COUNTY CLERK AND RECORDER

LAST REVISION: 2019--10--17



300 East Mineral Ave, Suite 1
Littleton, Colorado 80122
Phone: (303) 713-1898
Fax: (303) 713-1897
www.aztecconsultants.com

APPLICANT/DEVELOPER

98 WEST PARKER, LLLP
1720 S. BELLAIRE STREET, SUITE 300
DENVER, CO 80222

ENGINEER

WBC ENGINEERING & CM, LLC
PO BOX 460625
AURORA, CO 80046--0625

OWNER
98 W. PARKER, LLLP

1720 S. BELLAIRE STREET, SUITE 300
DENVER, COLORADO 80222
(303) 593--0813

DATE OF PREPARATION: 04-01-2019

SCALE: NA

SHEET 1 OF 2

AzTec Proj. No.: 144519-01

Drawn By: JFT

NEWLIN CROSSING FILING NO. 1

A PLAT OF A PARCEL OF LAND LOCATED WITHIN THE
NORTHWEST QUARTER OF SECTION 20 AND NORTHEAST QUARTER OF SECTION 19, ALL IN TOWNSHIP 6 SOUTH,
RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO.
101.113 ACRES - 16 TRACTS
SHEET 2 OF 2

C1/4 CORNER OF SECTION 20,
T6S, R66W, SIXTH PM, FOUND
A 3-1/4" DIAMETER
ALUMINUM CAPPED
MONUMENT STAMPED
"LS 10717 2008"
IN A RANGE BOX

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	10°30'15"	78.00'	14.30'
C2	15°05'46"	115.00'	30.30'
C3	4°57'06"	600.00'	51.85'
C4	90°59'36"	61.50'	97.67'
C5	0°09'24"	10080.00'	27.58'

LINE TABLE			LINE TABLE		
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	S13°30'36"W	5.23'	L13	S24°23'52"E	87.73'
L2	N78°45'29"W	97.72'	L14	S19°17'14"W	72.23'
L3	N68°15'05"W	28.82'	L15	S31°56'30"W	101.90'
L4	N82°56'46"W	94.80'	L16	S44°42'30"W	111.76'
L5	N87°53'52"W	41.07'	L17	S52°21'14"W	34.70'
L6	N00°41'05"W	152.92'	L18	S52°21'14"W	63.87'
L7	N88°20'40"E	128.55'	L19	S18°27'25"W	99.49'
L8	N03°05'44"E	52.42'	L20	S17°49'49"W	84.89'
L9	N00°30'33"W	80.16'	L21	S50°12'40"W	120.76'
L10	N19°16'45"E	79.14'	L22	N82°56'46"W	41.06'
L11	N89°54'42"E	77.50'	L23	N82°56'46"W	53.74'
L12	N48°29'15"W	278.82'			

LEGEND

- SECTION CORNER MONUMENT AS DESCRIBED
 - SET NO. 5 REBAR WITH 1-1/4" PINK PLASTIC CAP STAMPED "AZTEC LS 32428"
 - FOUND NO. 5 REBAR WITH BROKEN RED PLASTIC CAP STAMPING ILLEGIBLE
 - FOUND NO. 5 REBAR WITH 1-1/4" RED PLASTIC CAP STAMPED "LS 10717"
 - FOUND NO. 5 REBAR WITH 1-1/4" BLUE PLASTIC CAP STAMPED "PLS 22561 AZTEC"
 - FOUND NO. 5 REBAR WITH 1-1/4" ORANGE PLASTIC CAP STAMPED "PLS 28249"
 - FOUND 1" BRASS TAG WITH NAIL STAMPED "PLS 10717"
- ROW RIGHT-OF-WAY
(NR) NOT RADIAL
(R) RADIAL
—— FP ——— FLOOD PLAIN BOUNDARY

TRACT SUMMARY TABLE			
TRACT	AREA (SQ.FT)	AREA (AC ±)	PURPOSE
TRACT A	31,466	0.722	FUTURE COMMERCIAL
TRACT B	131,511	3.019	FUTURE COMMERCIAL
TRACT C	11,923	0.274	FUTURE ACCESS
TRACT D	30,882	0.709	FUTURE COMMERCIAL
TRACT E	74,822	1.718	FUTURE RESIDENTIAL
TRACT F	1,023,836	23.504	FUTURE RESIDENTIAL
TRACT G	56,229	1.291	FUTURE COMMERCIAL
TRACT H	386,362	8.870	FUTURE COMMERCIAL
TRACT I	204,637	4.698	FUTURE OPEN SPACE
TRACT J	353,410	8.113	FUTURE OPEN SPACE
TRACT K	1,452,228	33.339	FUTURE RESIDENTIAL
TRACT L	180,983	4.155	FUTURE ACCESS
TRACT M	408,642	9.381	FUTURE RESIDENTIAL
TRACT N	15,331	0.352	FUTURE COMMERCIAL
TRACT O	25,208	0.579	FUTURE TRAIL
TRACT P	17,023	0.391	FUTURE TRAIL

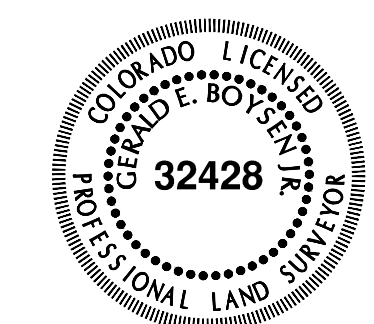
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DENVER, COLORADO 80222
(303) 593-0813

DATE OF PREPARATION: 04-01-2019
SCALE: 1"=120'
SHEET 2 OF 2



FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC.

Bryce Matthews Review voided by bmat. 4/5/2019 4:08:47 PM	COMPLETENESS REVIEW
Carolyn Parkinson Review voided by CPAR. 4/15/2019 1:29:35 PM	FINAL PLAT 20
Brooks Kaufman The Association will address utility easements as the development changes the tracts to filings and buildable sites. 5/8/2019 6:26:28 AM	IREA 20
Bryce Matthews This proposed Minor Development Plat does not conflict with the Parker 2035 Master Plan 5/9/2019 8:14:52 AM	Comprehensive Planning 20
Carolyn Parkinson Per attached approval letter 5/10/2019 1:52:15 PM	CenturyLink Communications 20
Donna George please see attached 5/13/2019 8:41:29 AM	Public Service Company of Colorado 20
Chris Boyd See attached Douglas County Eng-Plan Comments - SUB19-013 5/13/2019 5:57:56 PM	Douglas County Planning Services Division 20
Dylan Heberlein Thank you for the opportunity to review the minor plat. The Arapahoe County Public Airport Authority has the following comments to make on the project:

• Even though the plat is being developed into unbuildable tracts, we highly recommend the execution of an avigation easement for the property for the future residential developments that will be built. The process of subdividing the parcel for the purpose of future residential development is an ideal time to include the easement. If assistance is needed, please let us know.

• This development lies within the Airport Influence Area (AIA) under the Airport's Land Use Guidelines. This development may be subjected to numerous aircraft overflights and their associated effects despite its distance from the runway end. These effects include, but are not limited to: noise, smoke, dust, fumes and vibrations. An avigation easement is recommended for development within/near the AIA.

• An overflight disclosure is recommended to be provided to both present and future residents. 5/14/2019 2:11:59 PM	Centennial Airport 20

Scott Barnett	Stonegate Village Metro District 20
The Stonegate Village Metro District has been in discussions with the owners of the project for more than five years, and agreed in 2014 to serve the development as presented at that time. While the District has the physical capacity to serve the densities requested, significant changes to the configuration presented five years ago will require additional discussion and approval. 5/14/2019 3:38:18 PM	
Jacob James	PLAT - STORMWATER
The Town of Parker shall have a drainage easement over Tract J and Tract I. 5/14/2019 5:12:39 PM	
Alex Mestdagh	PLAT - CIVIL
Please address plat comments previously provided with SUB18-052. The memo associated with that project has been uploaded for reference. The comments in that memo associated with the Roadway Exhibit have been addressed and can be disregarded. 5/14/2019 5:25:58 PM	
Carolyn Parkinson	FINAL PLAT 20
Please see redline and development review memo attached. 5/22/2019 4:42:51 PM	
Donna George	Public Service Company of Colorado 15
please see attached 7/5/2019 6:42:04 AM	
Alex Mestdagh	PLAT - CIVIL
Please see uploaded memo for advisory comments. 7/12/2019 4:30:31 PM	
Carolyn Parkinson	FINAL PLAT 15
Please see redline and 2nd Development Review memo. 7/16/2019 12:10:05 PM	
Dean Cates	AzTec Consultants, Inc. 10
per Aztec the dedication statement and the acknowledgment statement are to be revised 8/26/2019 1:24:20 PM	
Donna George	Public Service Company of Colorado 10
It is acknowledged that the requested 15-foot utility easements were added to the plat abutting Mainstreet and Chambers. The property owner/developer/contractor is reminded to	

complete the application process via xcelenergy.com/InstallAndConnect. The Builder's Call Line is 1-800-628-2121.
8/27/2019 10:18:39 AM

Carolyn Parkinson
The Town requires a 20' tail easement.
8/27/2019 2:17:25 PM

FINAL PLAT 10

Carolyn Parkinson
The easement has been included on the plat as requested by the Town.
9/30/2019 10:07:09 AM

FINAL PLAT 10



Planning Commission Staff Report

Planning Commission Date: 10/10/2019

Town Council Date: 11/4/2019

Hearing Type: Public Hearing
NEWLIN CROSSING FILING 1 – Minor Development Plat
TRAKiT No.: SUB19-013

Location: Northeast Corner of Mainstreet and Chambers Road

Project Planner: Carolyn Parkinson, Planner

Applicant: Plan West – Representative, David Brehm

Executive Summary: The applicant, Plan West, is proposing a Minor Development Plat to create 16 unbuildable tracts for future residential, commercial, roadway and trail and open space uses. The intent is to create saleable tracts for future development.

Staff Recommendation: Approval

RECOMMENDED MOTION

"I move the Planning Commission recommend Town Council approve the Newlin Crossing Filing No. 1 - Minor Development Plat."

ALTERNATIVE MOTIONS

*"I move the Planning Commission recommend Town Council approve the Newlin Crossing Filing No. 1 - Minor Development Plat, subject to the following conditions:
-List conditions"*

*"I move the Planning Commission recommend Town Council deny the Newlin Crossing Filing No. 1 - Minor Development Plat as the request does not meet the following approval criteria:"
-List criteria not met (either by staff or Planning Commission)*

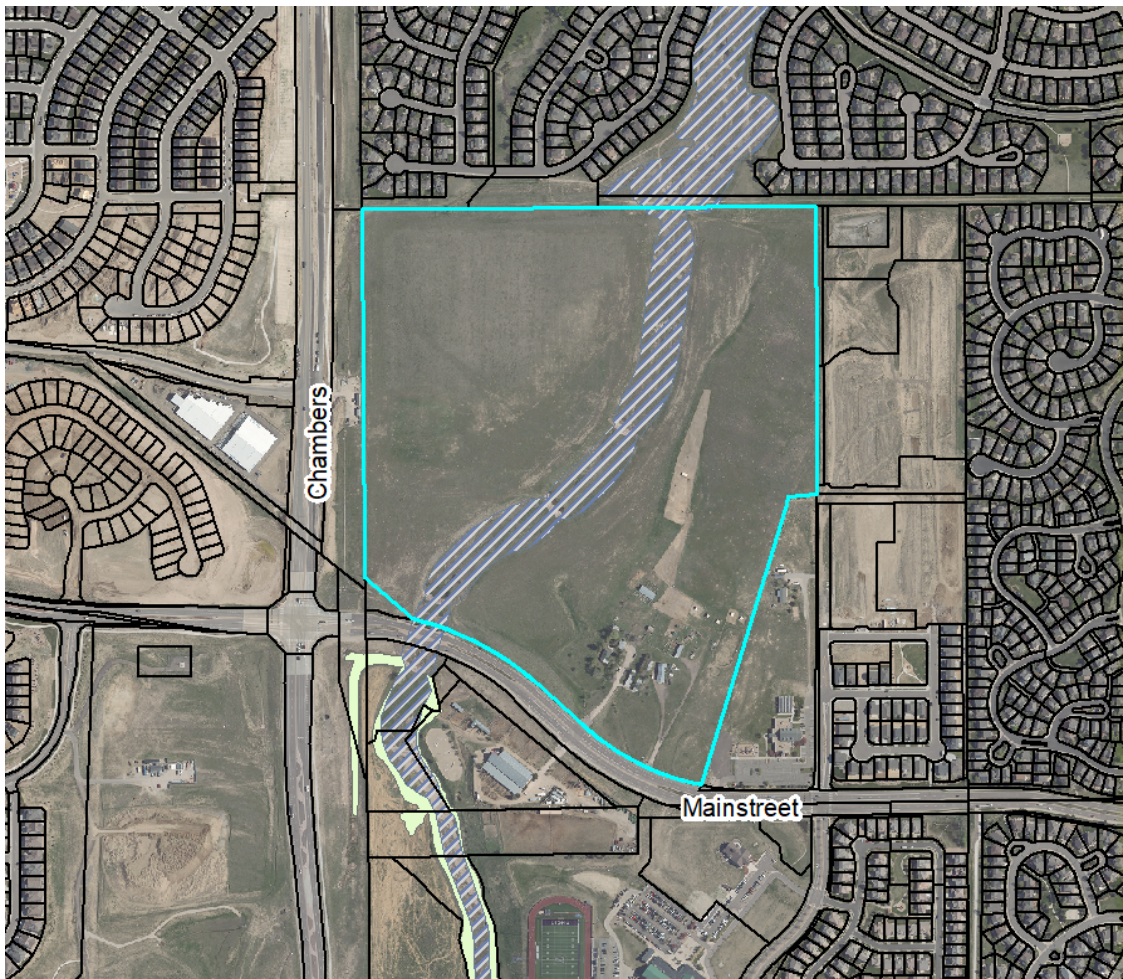
"I move the Planning Commission vote to continue the Newlin Crossing Filing No. 1 - Minor Development Plat to a future date."

I. BACKGROUND/DISCUSSION

This is a Minor Development Plat request to create sixteen (16) unbuildable tracts within approximately 101 total acres. The tracts include residential, commercial, roadway and trail and open space uses and reflect the existing Newlin Crossing Planned Development (PD) zoning. The intent of the proposal is to create saleable tracts for future development. The proposed lots vary in size from .35 acres to 33.34 acres. The site is currently used for agricultural and ranching purposes.

The site was annexed into the Town in 2016 and zoned PD. This PD allows for 450 total residential units, 14 acres of commercial development and approximately 19 acres of floodplain/open space. As required by the Annexation Agreement, the plat includes separate tracts for the Newlin Gulch Trail. Newlin Gulch trail is a regional north/south trail that is partly constructed north and south of the site.

Vicinity Map



II. PRIOR ACTIONS

Date	Action
2016	Town Council approved the annexation and zoning of the subject property.

CURRENT SITE DATA

Existing Zoning		PD - Planned Development	
Overlay District		N/A	
PD & Plan Area		Newlin Crossing	
Master Plan Area		Medium Density Residential	
Site Acreage		Approximately 101 acres	
Subdivision		Newlin Crossing Filing 1	
Existing Use		Agricultural	
Surrounding Uses			
	Master Plan Land Use	Zoning	Existing Use
North	Douglas County	Douglas County Zoning	SF residential-Stonegate
South	Low Density Residential	PD - Planned Development	Horse riding facility and church- New Horizons Hunter’s View
East	Medium Density Residential	PD - Planned Development	SF Residential- Carousel Farms and church
West	Douglas County	Douglas County Zoning	SF Residential Commercial Self Storage

III. PARKER 2035 MASTER PLAN

[Parker 2035 Master Plan | Town of Parker - Official Website](#)

MASTER PLAN CONSISTENCY	
Master Plan Designation	Medium Density Residential ☒ Consistent ☐ Inconsistent
Master Plan Character Discussion	<u>Medium Density Residential:</u> Consists of an overall gross density of 3.5 dwelling units per acre. Higher densities for housing for older adults may be considered as long as impacts are comparable to other uses permitted within this Character Area. <u>Neighborhood Centers:</u> Serve the basic needs of the surrounding residents. Typical uses include convenient retail and personal/business services usually anchored by a grocery store. Other compatible uses such as small offices, recreational uses and restaurants are also

	permitted. The total Gross Leasable Area for the commercial/office components within an entire Neighborhood Center should range from a combined 50,000 to 250,000 square feet. Higher density residential is appropriate as a transition between less intense residential areas and non-residential areas when developed as part of a mixed-use development and when the design encourages residents to walk or bicycle. Typical garden style apartment designs are not appropriate.
Consistent Goals/Strategies	Land Use 1.A Land Use 1.C Land Use 1.D Land Use 1.F Land Use 1.G Land Use 1.I Housing and Neighborhoods 1.A
Inconsistent Goals/Strategies	None
Staff Analysis	Staff has reviewed the requested Minor Development Plat against the Town's Master Plan and has determined that the request is consistent with the goals identified above. The proposed plat would create tracts for residential, commercial, roadway, trails and open space that are consistent with medium density residential development and neighborhood centers as identified in the Master Land Use Plan and which are allowed by the zoning.

IV. LAND DEVELOPMENT ORDINANCE

ZONING CONSISTENCY (Minor Development Plat)			
Provisions	Existing/Required	Proposed	Analysis
Setbacks	N/A	No buildable lots will be created by this plat.	☐ Consistent ☐ Inconsistent ☒ N/A
Density	N/A	No buildable lots will be created by this plat.	☐ Consistent ☐ Inconsistent ☒ N/A
Height/Stories	N/A	No buildable lots will be created by this plat.	☐ Consistent ☐ Inconsistent ☒ N/A
Lot Size	N/A	No buildable lots will be created by this plat.	☐ Consistent ☐ Inconsistent ☒ N/A

Lot Coverage	N/A	No buildable lots will be created by this plat.	☐ Consistent ☐ Inconsistent ☒ N/A
Landscaping	Title 13.06.070	No buildable lots will be created by this plat. Appropriate landscaping will be required for subsequent development plat submittals.	☐ Consistent ☐ Inconsistent ☒ N/A
Off-Street Parking	Title 13.06.050	No lots will be created by this plat. Minimum parking requirements will be met for subsequent development plat submittals.	☐ Consistent ☐ Inconsistent ☒ N/A
Staff Analysis	The request is for the approval of a Minor Development Plat to create sixteen (16) unbuildable tracts. Compliance with all development standards will be required with subsequent development plat submittal(s). The proposed Minor Development Plat is in conformance with the approved zoning.		

V. ACCESS, CIRCULATION & TRAFFIC ANALYSIS

Two access points for the overall development have been provided on this plat. These form the ‘backbone’ for the future collector road and circulation within the development. The plat reserves the right-of-way for a future collector road and the Newlin Gulch Trail tracts as a future pedestrian circulation component. All other internal vehicular circulation and appropriate alternative transportation provisions will be required as a component of subsequent development plats.

VI. SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS

Agency	Comments
Aztec Consulting	No Comment
Town of Parker Engineering	Approved
Fire and Life Safety	Approved
Parker Water and Sanitation District	Approved
Douglas County	Completed
Xcel	Advisory Comments
IREA	Approved
Stonegate Village Metro District	Advisory Comments
Town of Parker Economic Development	Approved

Stonegate HOA	No Comment
New Horizons HOA	No Comment
Douglas County Schools	No comment
Douglas County Planning	No Comment
Douglas County Assessors	No Comment
Cottonwood Water and Sanitation	No Comment
Comprehensive Planning	Approved
Comcast	No Comment
Century Link	Approved
Centennial Airport	No Comment
Building	Approved
Bradbury Ranch HOA	No Comment
Auburn Hills HOA	No Comment

VII. CONCLUSION

The applicant is requesting the approval of a Minor Development Plat in order to create sixteen (16) unbuildable tracts. The zoning of the property allows for the proposed uses. The applicant has demonstrated that the proposal is consistent with the Master Plan and is compliant with the Land Development Ordinance for a Minor Development Plat. An SIA based on the annexation agreement will provide triggers for infrastructure as these tracts develop. The annexation requirement for a separate tract for the Newlin Gulch Trail has been met. Therefore, staff is recommending that Planning Commission recommend approval for the Newlin Crossing Filing No. 1 Minor Development Plat.

VIII. RECOMMENDED CONDITIONS

N/A

IX. ATTACHMENTS

1. Minor Development Plat
2. Referral Agency Comment(s)

Report Approved By: Bryce Matthews, Planning Manager

Through: Jason Rogers, Deputy Community Development Director



Request for Town Council Action

Date: November 4, 2019

Submitted By: Bryce Matthews, Planning Manager
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 3.01.120 - Second Reading**
A Bill for an Ordinance to Amend Title 13 of the Parker Municipal Code Regarding Hemp Operations in Light Industrial Zone Districts

Department: **Community Development, Bryce Matthews**

EXECUTIVE SUMMARY

The Town Council approved an emergency ordinance on May 20, 2019 establishing a 180-day suspension on approving new hemp processing and storage uses within the Town. The purpose of this suspension was to give the Town time to research the unique issues related to uses involving hemp and prepare amendments to the Parker Municipal Code to address them especially where processing is involved.

The proposed ordinance will amend the Municipal Code at Chapter 13, Land Development Ordinance, to:

1. Include certain definitions that relate to hemp and hemp processing;
2. Allow limited industrial hemp processing in the Light Industrial zone district;
3. Not allow the initial processing of raw industrial hemp in any zone district in Town;
4. Not allow the storage of raw hemp in any zone district in Town;
5. Not allow the growing of hemp in the light industrial district; and
6. Address potential nuisance impacts associated with uses involving hemp

On October 24, 2019, the Planning Commission recommended Town Council approve the proposed ordinance.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

During the approved suspension period, Town staff has researched uses and processes involving hemp to determine what types of businesses may be proposed in the future. Staff reached out to Douglas County, Arapahoe County, Lone Tree, Castle Rock, Aurora and Centennial to determine what these jurisdictions are doing to address hemp and hemp processing. The Town also reviewed the City and County of Denver ordinance and regulations regarding hemp.

Staff has determined that most jurisdictions contacted address hemp in the same way that they review and process other commercial and industrial uses where processing occurs.

However, most of these jurisdictions have industrial zone districts that only allow industrial uses in them which helps to address and mitigate potential land use conflicts. Parker, on the other hand, has zone districts that currently allow light industrial uses and sensitive receptors such as day care centers, schools and private recreation facilities in the same district. This creates the potential for land use conflicts and adverse impacts to sensitive receptors as identified above.

As part of the proposed code amendments, staff desires to create clear definitions regarding Certified Hemp Seed, Delta-9 Tetrahydrocannabinols,, Industrial Hemp and Industrial Hemp Processing. This will assist applicants in understanding the hemp related uses that the Town permits and aid staff in the development review of proposes uses involving hemp.

The proposed code amendments would also permit limited hemp processing in the Light Industrial zone district with standards to address nuisance impacts as described in the Executive Summary. This will provide clarity for hemp businesses, create consistency in review/approval and protect sensitive receptors that currently exist and are permitted in the Light Industrial zone district. It will also aid staff with code compliance and enforcement where necessary.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



PROMOTE A SAFE AND
HEALTHY COMMUNITY



ENHANCE ECONOMIC
VITALITY



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH

ATTACHMENTS

1. Ordinance No. 3.01.120
2. Planning Commission Staff Report - Hemp

RECOMMENDED MOTION

I move to approve Ordinance No. 3.01.120 on second reading.

ORDINANCE NO. 3.01.120, Series of 2019

TITLE: A BILL FOR AN ORDINANCE TO AMEND TITLE 13 OF THE PARKER MUNICIPAL CODE REGARDING INDUSTRIAL HEMP OPERATIONS IN LIGHT INDUSTRIAL ZONE DISTRICTS

WHEREAS, the Town desires to implement appropriate land use provisions that provide a manner of accommodating Industrial Hemp Operations within the Town, including, without limitation, location, bulk standards, mitigation of potential nuisance impacts, and proximity to sensitive receptors/uses;

WHEREAS, in accordance with (i) C.R.S. § 31-15-501(1)(r); (ii) the Local Government Land Use Control Enabling Act, Article 20 of Title 29 C.R.S.; (iii) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal zoning powers); (iv) Section 31-15-103, C.R.S. (concerning municipal police powers); (v) Section 31-15-401, C.R.S. (concerning municipal police powers); (vi) the authority granted to home rule municipalities by Article XX of the Colorado Constitution; and (vii) the powers contained in the Town of Parker Home Rule Charter (the "Charter"), the Town has the authority to regulate Industrial Hemp Operations;

WHEREAS, the Town desires to implement regulations that address the impacts of Industrial Hemp Operations, and address the fact that the Town of Parker does not have a "heavy" industrial zoning district that would be compatible with the extraction of oil or any other product from raw hemp, using flammable materials or highly combustible processes;

WHEREAS, the Town's Light Industrial zoning district authorizes and contains various assembly uses, and the Town finds and determines that in the best interests of the public health, safety and welfare of the residents of the Town, such assembly uses are incompatible with the extraction of oil or any other product from raw hemp, because of the use of flammable materials and/or highly combustible processes; and

WHEREAS, the Town desires to allow such Industrial Hemp Operations in Light Industrial (LI) zone districts as a use by right, subject to the limitations on extraction set forth hereinbelow.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Section 13.02.010 of the Parker Municipal Code is amended by the addition thereto of the following definitions:

Certified Hemp Seed means industrial hemp seed, including Colorado heritage cannabis seed, that has been certified by an organization recognized by the department as having no more than a three-tenths of one percent of delta-9 tetrahydrocannabinol concentration on a dry-weight basis.

Delta-9 tetrahydrocannabinols means synthetic equivalents of the substances contained in the plant, or in the resinous extractives of, cannabis or synthetic substances, their derivatives, and their isomers with similar chemical structure and pharmacological activity.

Industrial hemp means a plant of the genus cannabis and any part of the plant whether growing or not, containing a delta-9 tetrahydrocannabinol concentration of no more than three-tenths of one percent on a dry-weight basis.

Industrial hemp processing means the further processing of hemp, which has been grown and harvested in compliance with the Colorado Department of Agriculture for Commercial Industrial Hemp or Research and Development regulations, resulting in an altered finished product, and limited as an authorized use only as permitted in Section 13.04.130 of this Land Development Ordinance.

Section 2. Section 13.04.130, subsection (c) of the Parker Municipal Code is amended by the addition thereto of a new sub-subsection (21) to read as follows:

13.04.130 LI – Light Industrial.

(c) Uses permitted by right.

* * *

(21) Industrial hemp processing operation, subject to the following limitations:

a. The initial processing of raw industrial hemp that results in any form of altered finished product, including without limitation, liquid, oil or wax, using hazardous materials including without limitation and by way of example flammable and combustible liquids, carbon dioxide, and liquified petroleum gases such as butane is prohibited;

b. Storage of raw hemp is prohibited, except that certified hemp seeds may be stored if ancillary to an industrial hemp processing operation;

c. Growing of hemp plants is prohibited;

d. Materials used in industrial hemp processing operations shall be stored in a manner so as to mitigate and ensure odors are not detectable beyond the property line or the exterior walls of the processing facility associated with the industrial hemp operations;

e. Such processing of industrial hemp shall meet the requirements of all adopted Town building and life/safety codes.

f. Such processing of industrial hemp shall meet the requirements of all adopted water and sewer regulations promulgated by the applicable water and sewer provider within the Town.

g. It is unlawful and deemed a nuisance under Chapter 6.01 of the Parker Municipal Code to dispose of, discharge out of or from, or permit to flow from any facility associated with an industrial hemp operation in the Town, any foul or noxious liquid or substance of any kind whatsoever, including, without limitation, by-products of the industrial hemp processes,

into or upon any adjacent ground or lot, into any street, alley or public place or into any municipal storm sewer system in the Town.

Section 3. **Safety Clause.** The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 4. **Severability.** If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 5. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2019.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2019.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney



Planning Commission Staff Report

Planning Commission Date: 10/24/2019

Town Council Date: 11/4/2019

Hearing Type: Public Meeting
DRAFT ORDINANCE NO. 3.01.120 – A Bill for an Ordinance to Amend Title 13 of the Parker Municipal Code Regarding Hemp Operations in the Light Industrial District.

Location: Townwide

Project Planner: Bryce Matthews, Planning Manager

Applicant: Town of Parker

Executive Summary: The proposed ordinance will amend Title 13 to include definitions that relate to hemp and hemp processing; allow limited industrial hemp processing in the Light Industrial zone district; not allow the initial processing of raw industrial hemp in any zone district in Town; not allow the storage of raw hemp in any zone district in Town; and address potential nuisance impacts associated with hemp processing.

Staff Recommendation: Approval

RECOMMENDED MOTIONS

“I move the Planning Commission recommend Town Council approve an ordinance to Amend Title 13 of the Parker Municipal Code Regarding Hemp Operations in the Light Industrial District.”

ALTERNATIVE MOTIONS

“I move the Planning Commission recommend Town Council approve an ordinance to Amend Title 13 of the Parker Municipal Code Regarding Hemp Operations in the Light Industrial District with the following conditions:”

-List conditions (either by staff or Planning Commission)

“I move the Planning Commission recommend Town Council deny an ordinance to Amend Title 13 of the Parker Municipal Code Regarding Hemp Operations in the Light Industrial District.”

-List criteria not met (either by staff or Planning Commission)

I. BACKGROUND/DISCUSSION

On May 20, 2019, the Town approved an emergency ordinance establishing a 180-day suspension on approving new hemp processing and storage uses within the Town. The purpose of this suspension was to give the Town time to establish amendments to the Parker Municipal Code to regulate hemp processing.

The Town reached out to Douglas County, Arapahoe County, Lone Tree, Castle Rock, Aurora and Centennial to determine what adjoining jurisdictions are doing to address hemp. The Town also reviewed the City and County of Denver ordinance. The jurisdictions that staff reached out to addressed hemp in the same way that they review other industrial processing issues. However, light industrial zone districts in many of these jurisdictions do not allow land uses with vulnerable populations such as day cares, schools and other similar uses.

The Town desires to create clear definitions regarding Certified Hemp Seed, Delta-9 tetrahydrocannabinols, Industrial Hemp and Industrial Hemp Processing.

The Town is also proposing to permit limited hemp processing in the Light Industrial zone district with restrictions on nuisances as described below:

1. Allow limited industrial hemp processing in the Light Industrial zone district;
2. Not allow the initial processing of raw industrial hemp in any zone district in Town;
3. Not allow the storage of raw hemp in any zone district in Town;
4. Not allow the growing of hemp in the light industrial district; and
5. Address potential nuisance impacts associated with hemp processing.

PRIOR ACTIONS

Date	Action
	None

II. PARKER 2035 MASTER PLAN

[Parker 2035 Master Plan | Town of Parker - Official Website](#)

MASTER PLAN CONSISTENCY	
2035 Master Plan	Choose an item. ☒ Consistent ☐ Inconsistent
Consistent Goals/Strategies	<u>Land Use 1.J</u>
Inconsistent Goals/Strategies	None
Staff Analysis	N/A

III. CONCLUSION

By requiring the establishment of relevant definitions associated with hemp and hemp processing, limiting the initial raw processing of hemp and addressing the nuisance impacts, the proposed ordinance will provide additional clarity for hemp businesses, create consistency in enforcement

and protect sensitive land uses that currently exist and are permitted in the Light Industrial zone district.

Staff recommends the Planning Commission recommend Town Council approve the proposed Municipal Code amendment.

IV. ATTACHMENTS

Draft Ordinance No. 3.01.120

Report Approved By: Bryce Matthews, Planning Manager

Through: Jason Rogers, Deputy Community Development Director



Request for Town Council Action

Date: November 4, 2019

Submitted By: Chris Hudson, Public Works Manager

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 9.286.1 - Second Reading**
A Bill for an Ordinance to Approve the First Amendment to an Intergovernmental Agreement Between the Town of Parker and the Board of County Commissioners of the County of Douglas, State of Colorado, Regarding Cost Sharing for the Dransfeldt Road Extension

Department: **Engineering/Public Works, Chris Hudson**

EXECUTIVE SUMMARY

The purpose of the attached ordinance is to approve an amendment to the 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.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

The Town has been contemplating the extension of Dransfeldt Road south of Twenty Mile Road, over Cherry Creek, connecting to Motsenbocker Road for over a decade. This proposed roadway is an important component to the Parker area's long-term roadway transportation plan. Due to a portion of the proposed roadway extension being located in unincorporated Douglas County, the project will need to be coordinated with Douglas County. After several years of discussions with Douglas County staff, the Town and County are ready to move forward with the conceptual/preliminary design of this roadway extension.

Parker Town Council approved the proposed IGA at the June 3, 2019 Town Council meeting and the executed IGA document was provided to Douglas County. On August 13, 2019, the Douglas County Board of County Commissioners (BOCC) took no action on the IGA at their

board meeting due to comments from the public. In order to keep this IGA moving forward, the Town and Douglas County staff have assembled an amendment to the proposed IGA to address several items that have been identified since the original approval by Town Council. The first item in the amendment includes the use of existing consultants to complete the project. The Town has a surveying firm that provided the original survey of the project last year. In addition, the Town has a hydraulic engineering firm under contract now for an Urban Drainage/Town joint project upstream of the project limits. Utilizing the continuity of these engineering disciplines would provide efficiencies to the overall project completion. In addition, the limits of the proposed Conditional Letter of Map Revision (CLOMR) with FEMA (Federal Emergency Management Agency) have been included in this amendment to provide clarification of this project task. The last item related to this amendment is to change the completion dates from July 31, 2020 to December 31, 2020 due to the County's aforementioned delay in approval.

The Douglas County BOCC approved both the IGA and the amendment at their BOCC meeting on October 22, 2019. An ordinance is needed for adopt this amendment.

FINANCIAL IMPACT

Funding has been appropriated for this preliminary design effort in the Streets Capital Projects fund (301-4310).

STRATEGIC GOAL(S)



INNOVATE WITH
COLLABORATIVE
GOVERNANCE



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



ENHANCE ECONOMIC
VITALITY

ATTACHMENTS

1. Ordinance No. 9.286.1

RECOMMENDED MOTION

I move to approve Ordinance No. 9.286.1 on second reading.

ORDINANCE NO. 9.286.1, Series of 2019

TITLE: A BILL FOR AN ORDINANCE TO APPROVE THE FIRST AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF PARKER AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO, REGARDING COST SHARING FOR THE DRANSFELDT ROAD EXTENSION

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. The Town Council of the Town of Parker hereby approves the First Amendment to an Intergovernmental Agreement between the Town of Parker and the Board of County Commissioners of the County of Douglas, State of Colorado, Regarding Cost Sharing for the Dransfeldt Road Extension, which is attached hereto as **Exhibit 1** and incorporated herein by this reference, and authorizes the Mayor of the Town to enter into the Agreement on behalf of the Town.

Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____, 2019.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2019.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

EXHIBIT 1

FIRST AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF PARKER AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO, REGARDING COST SHARING FOR THE DRANSFELDT ROAD EXTENSION

THIS FIRST AMENDMENT TO INTERGOVERNMENTAL AGREEMENT (“**First Amendment**”) is made and entered into this ____ day of _____, **2019**, by and between the Town of Parker, Colorado, a Colorado home rule municipality (the "**Town**"), and the Board of County Commissioners of Douglas County, State of Colorado, (the "**County**"), hereinafter collectively referred to as the "**Parties**."

RECITALS

WHEREAS, the Parties entered into the Intergovernmental Agreement (the “Agreement”) concerning advancing the conceptual / preliminary design of the Dransfeldt Road extension improvements between Twenty-Mile Road and Motsenbocker Road, (the Project”); and

WHEREAS, the Parties now desire to modify the original Agreement by allowing the Town to use engineers previously contracted with the Town, allocate responsibility for assessing impacts for the Project, and allow additional time for completion; and

WHEREAS, the Parties desire to amend the Agreement in accordance with the terms and conditions stated in this **First Amendment**.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein, the sufficiency of which are mutually acknowledged, the Parties hereto agree to this First Amendment to Agreement, which includes modifications to the following Sections:

Section 1. Section 1 of the Agreement titled, “Consultant Selection Process and Contracting for Project”, is amended by the addition of the following language to the end of Section 1:

The County also would support the Town’s decision to retain one or more of its existing consultants, as a Qualified Engineer, in order to continue to provide professionals services for some or all of the tasks associated with completing the preliminary design. Project expenses incurred by consultants retained by the Town are eligible Project expenditures (but only those expenses incurred after the date of execution of the First Amendment).

Section 4. Section 4 of the Agreement, titled “Town Contribution and Responsibilities”, is amended by the addition of the following language to the end of Section 4:

The Town agrees to assess the impacts of the Project, specifically including evaluating this project's impacts to the Cherry Creek Floodplain and Floodway for a minimum of 1,000 feet upstream and a minimum of 1,000 feet downstream of the proposed bridge; and extending on the north (downstream) to the existing Xcel Energy / PSCO east-west overhead transmission lines; and these limits shall be used when submitting a Conditional Letter of Map Revision (COLMR) to the Federal Emergency Management Agency (FEMA) specifically for the proposed Dransfeldt Road extension project.

Section 5. Section 5 of the Agreement, titled "Time of Performance", is replaced in its entirety with the following:

The Parties acknowledge and agree that the Project shall be substantially completed on or before **December 31, 2020**.

Section 10. Section 10 of the Agreement, titled "Additional Documents", is amended by the addition of the following language to the end of the Section:

The Town and the County acknowledge and agree that the Agreement has been modified to include the additional information and provisions identified in the First Amendment.

The remainder of the Agreement shall be unchanged and in full force and effect.

IN WITNESS WHEREOF, this First Amendment is executed by the Parties hereto as of the date first written above.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY

Roger A. Partridge, Chair

ATTEST:

APPROVED AS TO CONTENT:

Emily Wrenn,
Clerk to the Board

Douglas J. DeBord,
County Manager

APPROVED AS TO FORM:

APPROVED AS TO FISCAL CONTENT:

Chris Pratt,
Senior Assistant County Attorney

Andrew Copland,
Director of Finance



Request for Town Council Action

Date: November 4, 2019

Submitted By: Bryce Matthews, Planning Manager
John Fussa, Community Development Director

Reviewed By: Michelle Kivela, Town Administrator

Title: **ORDINANCE NO. 3.01.121 - Second Reading**
A Bill for an Ordinance to Amend Subsections 13.12.030(c), (d) and (e), 13.12.040(b), (c) and (e) of the Parker Municipal Code Concerning Commercial Wireless Communications Facilities

Department: **Community Development, Bryce Matthews**
Engineering/Public Works, Alex Mestdagh

EXECUTIVE SUMMARY

The proposed ordinance will update the Parker Municipal Code, Chapter 13.12 Wireless Communication Facilities, as provided below:

1. Set consistent height standards for small cell facilities that are located in the Town right-of-way with different heights for local residential streets versus busy collector and arterial roads;
2. Clarify additional submittal requirements as determined by the Town for small cell facilities;
3. Increase the fee for the review of proposed small cell facilities; and
4. Clarify height requirements for roof mounted wireless communication facilities.

On October 24, 2019, the Planning Commission recommended Town Council approve the proposed ordinance.

STAFF RECOMMENDATION

Approve

BACKGROUND/DISCUSSION

In 2017, the Town collaborated with Verizon Wireless to make significant changes to Chapter 13.12 of the Parker Municipal Code to address changes in State statutes and allow for the

installation of small cell facilities in the Town's street rights-of-way. Over the past few months, the Town started processing applications for the installation of small cell facilities and discovered gaps in the current Code.

Small Cell Height - Under federal law, the height of small cell facilities can be fifty (50) feet. The Municipal Code currently provides that the height of small cell facilities is based on the maximum height limit in the underlying zone district. The maximum height in underlying zone districts are not uniform and vary among the many planned development districts located in the Town. The range of heights permitted within zone districts is a problem for both the Town and applicants. The proposed amendment does the following:

- (a) establishes one height limit for local residential streets;
- (b) establishes one height limit for busy collector and arterial streets; and
- (c) authorizes the Planning Director to administratively adjust the maximum height by up to five (5) feet based on the operational requirements of the network.

The maximum height of small cell facilities along local residential streets would be thirty-five (35) feet with the possibility of an administrative adjustment up to forty (40) feet. The maximum height for busy collector and arterial streets would be forty (40) feet with the possibility of an administrative adjustment up to forty-five (45) feet. The benefit of these negotiated height limits is that they are below the maximum height of up to fifty (50) feet allowed by federal law/regulation.

Small Cell Requirement for Additional Items - The proposed code amendment clarifies that the Town has the right to include additional requirements in connection with applications for small cell facilities as follows:

- (a) Traffic control plan;
- (b) Certificate of insurance;
- (c) Equipment declaration; and
- (d) Site supplement agreement

Small Cell Increased Application Fee - The proposed code amendment would increase application fees for small cell facilities to cover the cost of retaining professionals with expertise in wireless communications to review technical documents that may be required with such applications.

Roof-Mounted Wireless Communication Facility Height - The current code allows for roof-mounted facilities to exceed the height of the building by twelve (12) feet but does not provide clear direction on how the zoning district height requirement applies. It is the policy of the Town to encourage the location of wireless communication facilities on existing structures and thereby reduce the need for new towers. The proposed code amendment would restrict the height of roof-mounted wireless communication facilities to 5-feet over the maximum height

permitted in the zone district. This approval would be subject to the requirement for stealth screening to reduce the visual impact of co-locating these facilities on existing buildings/structures.

FINANCIAL IMPACT

None

STRATEGIC GOAL(S)



DEVELOP A VISIONARY
COMMUNITY THROUGH
BALANCED GROWTH



INNOVATE WITH
COLLABORATIVE
GOVERNANCE

ATTACHMENTS

1. Planning Commission Staff Report - Wireless Communication Facilities
2. Ordinance 3.01.121

RECOMMENDED MOTION

I move to approve Ordinance No. 3.01.121 on second reading.



Planning Commission Staff Report

Planning Commission Date: 10/24/2019

Town Council Date: 11/4/2019

Hearing Type: Public Meeting
DRAFT ORDINANCE NO. 3.01.121 – A Bill for an Ordinance to Amend Subsections 13.12.030(c), (d) and (e), 13.12.040 (b), (c), and (e) of the Parker Municipal Code Concerning Commercial Wireless Communication Facilities.

Location: Townwide

Project Planner: Bryce Matthews, Planning Manager

Applicant: Town of Parker

Executive Summary: The proposed ordinance will update Section 13.12 Wireless Communication Facilities in the Parker Municipal Code as provided below:

1. Set consistent height standards for small cell facilities that are located in the right of way and having different heights for local roads versus collector and arterial roads;
2. Clarify additional submittal requirements as determined by the Town for small cell facilities;
3. Increase the fee for small cell facility review; and
4. Clarify height requirements for roof mounted wireless communication facilities.

Staff Recommendation: Approval

RECOMMENDED MOTIONS

“I move the Planning Commission recommend Town Council approve an ordinance to Amend Section 13.12 of the Parker Municipal Code Regarding Commercial Wireless Communication Facilities.”

ALTERNATIVE MOTIONS

“I move the Planning Commission recommend Town Council approve an ordinance to Amend Section 13.12 of the Parker Municipal Code Regarding Commercial Wireless Communication Facilities: ”

-List conditions (either by staff or Planning Commission)

“I move the Planning Commission recommend Town Council deny an ordinance to Amend Section 13.12 of the Parker Municipal Code Regarding Commercial Wireless Communication Facilities.”

-List criteria not met (either by staff or Planning Commission)

I. BACKGROUND/DISCUSSION

In 2017, the Town collaborated with Verizon Wireless to make significant changes to Section 13.12 of the Parker Municipal Code to address changes in State Statutes and allow for the installation of small cells in the Town’s public rights-of-way. Over the past few months, the Town started processing applications for the installation of small cell facilities and discovered gaps in the Town Code.

Small Cell Height - Under federal law, the height of small cells can be up to fifty (50) feet. The Town Code currently provides that the height of small cell facilities is based on the maximum height limit in the underlying zone district. The maximum height in underlying zone districts are not uniform and vary among the many planned development districts located in the Town. The range of heights permitted within zone districts is a problem for both the Town and cellular providers. The proposed amendment regardless of the underlying zoning district does the following:

- Establishes one height limit for local streets;
- Establishes one height limit for collector and arterial streets; and
- Authorizes the planning director to administratively adjust these maximum heights up to five (5) feet, based on the operational requirements of the network.

The maximum height for local streets would be thirty-five (35) feet with the possibility of an administrative adjustment up to forty (40) feet. The maximum height for collector and arterial streets would be forty (40) feet, with an administrative adjustment up to forty-five (45) feet. The maximum heights are below the allowed federal height of up to fifty (50) feet.

Small Cell Requirement for Additional Items - The code amendment clarifies that the Town has the right to include additional requirements for small cell applications as follows:

- Traffic control plan
- Certificate of insurance
- Equipment declaration
- Site supplement agreement

Small Cell Increased Application Fee - The ordinance proposes an increase in fees for small cell reviews. The purpose of this increase is to cover the cost of hiring professionals with expertise in the wireless communication field to review technical documents that may be required as a part of a small cell review.

Roof Mounted Wireless Communication Facility Height - The code currently allows for roof mounted facilities to exceed the height of the building by twelve (12) feet, but does not provide clear direction on how the zoning district height requirement applies. It is a goal of the Town to encourage the co-location of wireless communication facilities on existing structures, not new towers. The proposed amendment would restrict the height of roof mounted wireless

communication facilities to 5 feet over the maximum height permitted in the zone district. this approval would be subject to integration and screening of the wireless communication facilities into the building's architecture.

PRIOR ACTIONS

Date	Action
	None

II. PARKER 2035 MASTER PLAN

[Parker 2035 Master Plan | Town of Parker - Official Website](#)

MASTER PLAN CONSISTENCY	
2035 Master Plan	Choose an item. ☒ Consistent ☐ Inconsistent
Consistent Goals/Strategies	<u>Land Use 1.J</u>
Inconsistent Goals/Strategies	None
Staff Analysis	N/A

III. CONCLUSION

The proposed amendments to Section 13.12 regarding private wireless communications facilities will provide additional clarity and more consistent outcomes for the public and for wireless communication facilities while remaining compliant with federal regulations.

Staff recommends the Planning Commission recommend Town Council approve the proposed Municipal Code amendment.

IV. ATTACHMENTS

Draft Ordinance

Report Approved By: Bryce Matthews, Planning Manager

Through: Jason Rogers, Deputy Community Development Director

ORDINANCE NO. 3.01.121, Series of 2019

TITLE: A BILL FOR AN ORDINANCE TO AMEND SUBSECTIONS 13.12.030(c), (d) AND (e), 13.12.040(b), (c) AND (e) OF THE PARKER MUNICIPAL CODE CONCERNING COMMERCIAL WIRELESS COMMUNICATIONS FACILITIES

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Subsection 13.12.030(c) of the Parker Municipal Code is amended to read as follows:

13.12.030 WCF standards.

* * *

(c) Building roof or wall-mounted WCF facilities.

(1) A building wall-mounted WCF facility shall adhere to the following design standards to minimize impacts:

a. The facility shall be stealth or screened from view. Wall-mounted facilities shall be colored to match the building or structure to which it is attached.

b. The mounting of antennae shall be as flush to the building wall as possible, and in no case shall the antennae extend more than three (3) feet out from the building wall.

c. The facility shall not extend above the roof line of the building. For purposes of this Section, the roof line shall include parapets but exclude already existing equipment and facilities on the roof.

(2) A building roof-mounted WCF facility shall adhere to the following design standards to minimize impacts:

a. Building roof-mounted WCF facilities shall not be permitted on a pitched roof, unless located entirely within a dormer or cupola.

b. A building roof-mounted WCF facility, including antennae, shall not extend more than twelve (12) feet above the roof line of the building or structure on which the facility is mounted. **A building roof-mounted WCF facility, including antennae and the stealth/screening structure, may not exceed the maximum height in the underlying zone district; provided, however, the Planning Director may approve a maximum height of up to five (5) feet above that which is permitted in the**

underlying zone district for stealth WCF facilities, which are integrated into the design of the building. For purposes of this Section, the roof line shall include parapets but exclude already existing equipment and facilities on the roof.

c. The facility shall be screened from view and/or colored to match the building or structure to which it is attached.

d. The diameter of a microwave dish antenna shall not exceed four (4) feet.

(3) Accessory equipment for a building roof or wall-mounted WCF facility shall be placed inside the building if feasible.

Section 2. Subsection 13.12.030(d) of the Parker Municipal Code is amended to read as follows:

13.12.030 WCF standards.

* * *

(d) Small cell facilities.

(1) All small cell facilities are a use by right in all zoning districts, and permits shall be issued pursuant to the applicable provisions of this Chapter.

(2) Small cell facilities located within the rights-of-way permitted under this Section will be subject to a License Agreement to further facilitate the deployment of small cell facilities.

(3) Notwithstanding anything to the contrary contained in this Chapter, the maximum height of any pole located within a local street as defined by the Town Roadway Design and Construction Criteria Manual, as amended, that is used in whole or in part for the purpose of attaching and collocating WCFs, shall not exceed thirty-five (35) feet; provided that the Planning Director has the administrative authority to approve a maximum height of up to forty (40) feet within a local street if the Planning Director determines, based on all of the technical engineering and related information submitted by the applicant and any independent review that the Town undertakes, that there are no other options available for the applicant, and a requirement to limit the height of thirty-five (35) feet would have the effect of prohibiting the provision of personal wireless services.

(4) Notwithstanding anything to the contrary contained in this Chapter, the maximum height of any pole located within a collector or arterial street as defined by the Town Roadway Design and Construction Criteria Manual, as amended, that is used in whole or in part for the

purpose of attaching and collocating WCFs, shall not exceed forty (40) feet; provided that the Planning Director has the administrative authority to approve a maximum height of up to forty-five (45) feet within a collector or arterial street if the Planning Director determines, based on all of the technical engineering and related information submitted by the applicant and any independent review that the Town undertakes, that there are no other options available for the applicant, and a requirement to limit the height of forty (40) feet would have the effect of prohibiting the provision of personal wireless services.

Section 3. Subsection 13.12.030(e) of the Parker Municipal Code is amended to read as follows:

13.12.030 WCF standards.

* * *

(e) Pole-mounted WCF facilities. A pole-mounted WCF facility shall adhere to the following design standards to minimize impacts:

(1) The facility shall be designed to be compatible with surrounding buildings and structures and existing or planned uses in the area.

(2) The facility shall be colored to match the structure to which it is attached.

(3) A pole-mounted WCF facility, including antennae, shall not exceed the maximum structure height limit in the underlying zone district, unless the use by special review approval specifically allows the facility to exceed that height. ~~To the extent that any Town right-of-way is not contained within a defined zoning district, the maximum height of any pole in the right-of-way, for the purposes of attaching WCFs, shall be thirty-five (35) feet, unless otherwise approved by special review pursuant to Section 13.04.200 of this Title.~~

(4) The facility shall not be lighted unless required by the FAA or if the WCF is mounted on a light pole or other similar structure primarily used for lighting purposes.

(5) The Planning Director shall have the authority to adopt administrative regulations addressing design standards and specifications for WCF facilities in the right-of-way, consistent with applicable federal and state law.

Section 4. Subsection 13.12.040(b) of the Parker Municipal Code is amended to read as follows:

13.12.040 Application and approval procedures.

* * *

(b) Administrative review.

(1) An application for administrative approval to locate a WCF facility shall include the following:

- a. A completed application form;
- b. A written, narrative statement describing in detail how the proposed WCF facility will comply with each of the applicable design standards set forth in this Chapter;
- c. Photographic simulations showing the proposed facility and the structure on which it will be mounted, if applicable;
- d. Preliminary design drawings and antenna specifications;
- e. Scaled building elevations, if applicable;
- f. A landscape plan, including equipment storage shelters, if applicable;
- g. A signed and executed pole attachment agreement with pole owner, or similar proof of authority as may be acceptable to the Town, if applicable;
- h. Payment of the application fee; and
- i. A title commitment or other proof of ownership of the property, or if the property is leased, a copy of the fully executed lease. The lease may be edited to black out or redact portions which the applicant does not want to become a public record, except: the term of the lease; any renewal provisions; provisions relating to termination of the lease; provisions relating to modification or removal of the facility; and the signature page.

(2) An application for administrative approval to locate a WCF facility may also include the following as determined by the Town:

- a. A traffic control plan;**
- b. Certificate of insurance;**
- c. Equipment declaration;**
- d. Site supplement agreement(s).**

Section 5. Subsection 13.12.040(c) of the Parker Municipal Code is amended to read as follows:

13.12.040 Application and approval procedures.

* * *

(c) Procedure for use by special review approval.

(1) Application requirements. An application for use by special review approval for a WCF facility shall include the following:

- a. A completed application form;
- b. Payment of the application fee;
- c. A site plan which includes the following:
 1. The location of all proposed and existing structures and improvements on the property;
 2. A landscape plan, if applicable;
 3. A north arrow;
 4. Scale (written and graphic);
 5. Scaled building, tower or pole elevations, if applicable;
 6. A legal description of the property; and
 7. A lighting plan, if applicable.
- d. A title commitment or other proof of ownership of the property, or if the property is leased, a copy of the fully executed lease. The lease may be edited to black out or redact portions which the applicant does not want to become a public record, except: the term of the lease; any renewal provisions; provisions relating to termination of the lease; provisions relating to modification or removal of the facility; and the signature page.
- e. Photographic simulations showing the proposed facility and the structure on which it will be mounted, if applicable;
- f. A written, narrative statement describing in detail how the proposed WCF facility will comply with each of the applicable design standards outlined in this Chapter;
- g. Preliminary design drawings and antenna specifications;
- h. A signed and executed pole attachment agreement with pole owner, or similar proof of authority as may be acceptable to the Town, if applicable;
- i. Evidence of FAA approval, if applicable; and

j. A list of property owners within five hundred (500) feet of the property.

(2) An application for administrative approval to locate a WCF facility may also include the following as determined by the Town:

- a. A traffic control plan;**
- b. Certificate of insurance;**
- c. Equipment declaration;**
- d. Site supplement agreement(s).**

Section 6. Subsection 13.12.040(e) of the Parker Municipal Code is amended to read as follows:

13.12.040 Application and approval procedures.

* * *

(e) Application fees.

(1) The application fee for permitted use approval of a batch of small cell facilities ~~(a batch may include up to ten (10) small cell facilities)~~ shall be five hundred dollars (\$500.00) **per application for the first facility, and one hundred fifty dollars (\$150.00) for each additional facility, for up to ten (10) total facilities.**

(2) The application fee for use by special review approval of a WCF facility shall be three hundred dollars (\$300.00) per application.

(3) The application fee for administrative approval of a WCF facility shall be one hundred dollars (\$100.00) per application.

Section 7. **Safety Clause.** The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 8. **Severability.** If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 9. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this ____ day of _____,
2019.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this ____ day of _____, 2019.

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney, Town Attorney