

**TOWN OF PARKER COUNCIL
MINUTES
DECEMBER 11, 2017**

Mayor Waid called the meeting to order at 5:36 p.m. Councilmember Amy Holland was absent.

Town Attorney Jim Maloney announced the topic for discussion in Executive Session were four (4) items. Under C.R.S. § 24-6-402(4)(e) there are three (3) items, the Amended and Restated Stroh/Hess Ranch Annexation Agreement (Northern Property) dated May 5, 2014; the Amended and Restated Stroh/Hess Ranch Annexation Agreement (Southern Property) dated September 21, 2015; and the Parker Senior Center. Under C.R.S. § 24-6-402(4)(b) there is one (1) item which is the Intergovernmental Agreement between the Town and Douglas County (and the comprehensive development plan).

EXECUTIVE SESSION

Josh Martin moved and Joshua Rivero seconded to go into Executive Session at 5:40 p.m. 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.

REGULAR MEETING

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

The Pledge of Allegiance was led by the youth in the audience.

SPECIAL PRESENTATIONS - None

PARKER CHAMBER OF COMMERCE UPDATES – None

PUBLIC COMMENTS

Diane Roth stated she was excited about the things that are going on with the Cultural and Scientific Commission. She recognized Judy Bazile who is also being recommended to be reappointed to the Cultural and Scientific Commission. Diane and Judy thanked the Town Council for their support.

REPORT, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL

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

CONSENT AGENDA

- A. *APPROVAL OF MINUTES*
 - *November 20, 2017*

B. RESOLUTION NO. 17-059

A Resolution to Determine that the Kime Ranch Property Annexation Petition Substantially Complies with the Requirements of the Annexation Act of 1965 and to Set a Public Hearing Date for February 5, 2018

Department: Community Development, Paul Workman

TRAKiT No. ANX17-007

C. RESOLUTION NO. 17-060

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

Department: Community Development, Carolyn Washee-Freeland

D. RESOLUTION NO. 17-061

A Resolution Accepting the Conveyance of a Drainage Easement from Country Meadows Development, LLC, for Country Meadows Square Lot 7

Department: Engineering, Tyler Sandt

E. RESOLUTION NO. 17-062

Supporting Reauthorization by the General Assembly of the Colorado Lottery Division in 2018

Department: Parks & Recreation, Dennis Trapp

F. RESOLUTION NO. 17-063

A Resolution to Appoint Regular Members to the Parker Cultural and Scientific Commission and to Appoint the Chair

Department: Cultural, Elaine Mariner

G. CONTRACTS OVER \$100,000**1. 2017 Miscellaneous Signal Repairs (CIP 17-022)**

Amount: \$201,080.00

Contractor: Paonia, Inc.

Department: Engineering, Chris Hudson

Engineering, David Aden

2. Third Amendment to Agreement for Professional Services (for producing theater company for the PACE Center)

Amount: \$200,000

Contractor: Inspire Creative, Inc.

Department: Cultural, Elaine Mariner

Cultural, Shaun Albrechtson

Joshua Rivero moved to approve items 6A through 6G on the Consent Agenda.

Josh Martin seconded the motion.

The motion was approved unanimously.

TOWN ADMINISTRATOR – None

PUBLIC HEARINGS

A. PARKER TECH CENTER AMD 2 LA2-12 – Use by Special Review

Applicant: Jonathan Edewaard - Made for Colorado Auto
Location: 10505 S. Progress Way
Department: Community Development, Carolyn Parkinson
TRAKiT: Z17-021

7:05 P.M.

This property is zoned Light Industrial District within the Urwiller Property Planned Development (PD). A car dealership within this PD requires approval of a Use by Special Review. The unit under review is currently used as flex/office space but will soon be vacant.

The applicant is proposing a sales office and indoor showroom that will house 10 to 12 vehicles specifically equipped for the Colorado outdoors. The cars will be advertised on-line and anticipated customer activity will consist of 10 to 15 visits per week. All vehicles delivered to the site will be sale ready and no modifications or maintenance will be done on site. A condition of approval will limit the outdoor display to three vehicles and require that all vehicles be stored indoors overnight.

The proposal does not include any exterior modifications to the unit or the building.

Staff has determined that the Use by Special Review for an indoor auto sales and showroom at 10505 Progress Way Suite #105:

- is consistent with the Master Plan designation as Light Industrial, and
- is compatible with the existing flex office/light industrial uses in the area, and
- when evaluated against the nine criteria for a Use by Special Review, meets or can meet these criteria subject to reasonable conditions.

On November 30, 2017, Planning Commission recommended Town Council approve the Use by Special Review request.

Public Comment: None.

John Diak moved to approve, based on staff findings, with the following conditions:

1. That the Use by Special Review materials submitted to the Community Development

Department on November 9, 2017, via eTRAKiT shall be the approved Use by Special Review materials.

2. This approval DOES NOT include signage. A separate sign permit is required from the Community Development Department. The applicant shall also contact the Building Division regarding sign permit requirements.
3. A building permit is required prior to any work or vehicle storage on site.
4. A maximum of three vehicles may be displayed outdoors in striped parking spaces in the parking lot at any given time and there will be no outdoor storage of vehicles overnight.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

**B. SULPHUR SUBSTATION & TRANSMISSION RIGHT-OF-WAY 1ST
AMENDMENT LOT 2 BLOCK 1 – Use by Special Review**

Applicant: Larry Claxton, Xcel Energy
Location: Northeast Corner of Motsenbocker Road and Todd Drive
Department: Community Development, Paul Workman
TRAKiT: Z17-012

7:14 P.M.

The subject property is currently developed as an electrical substation that is part of PSCo's power transmission corridor through Parker. The proposed wireless communications facility is one of many that PSCo, operating as Xcel Energy, is installing throughout the Denver metropolitan region as part of its new Field Area Network (FAN). The proposed tower is the first step to provide PSCo's new grid called the "Advanced Grid." The Advanced Grid is designed to allow PSCo to shorten and better manage outages.

On November 30, 2017, the Planning Commission recommended Town Council approve the Use by Special Review request.

Public Comment: None.

Debbie Lewis moved to approve the Use by Special Review, subject to the following seven (7) conditions:

1. Within 30 days of approval, the applicant shall provide a landscape plan that shows compliance with the previously approved landscape plan and staff shall have the ability to require the installation of additional landscaping including evergreen trees for screening of

adjacent properties and streets in coordination with the applicant. All landscaping shall be installed prior to project completion.

2. The location for the proposed monopole and accessory equipment shall be located in accordance with the provided site plan.

3. The height of the monopole shall not exceed 125 feet.

4. The approval is granted for a noncommercial monopole. Any future co-locations on the monopole for commercial wireless communication facilities must obtain approval through the process outlined in the Town's Land Development Ordinance in effect at that time.

5. Prior to construction, the applicant must submit approval from the Federal Aviation Administration for the height of the structure.

6. Prior to construction, the applicant must submit approval from the Federal Communication Commission.

7. Any additional changes to the previously approved Site Plan will need to receive approval in accordance with the Town's Land Development Ordinance in effect at that time.

Josh Martin seconded the motion.

The motion was approved unanimously.

COMPARK VILLAGE SOUTH FILING NO. 1

A. ORDINANCE NO. 9.252.2 - Second Reading

A Bill for an Ordinance to Approve the Second Amendment to Intergovernmental Agreement Between the Town of Parker and the Board of County Commissioners of the County of Douglas Regarding the Design, Construction and Maintenance of Belford Avenue (Peoria Street to Compark Village South) Improvement Project

Department: Engineering, Alex Mestdagh

7:19 P.M.

The Developer is requesting a second extension to the terms of an IGA associated with Compark Village South Filing No. 1. The extension is being requested to allow additional time for the Developer to complete Federal permitting for the project.

Public Comment: None

Joshua Rivero moved to approve Ordinance No. 9.252.2 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

B. RESOLUTION NO. 17-020.2

A Resolution to Amend Resolution No. 17-020.1 to Extend the Expiration Date of the Minor Development Plat for Compark Village South Filing No. 1 Through December 31, 2018, and Approve the Extension of the Completion Date for the Public Improvements and Replace Exhibit C to the Subdivision Agreement for Compark Village South Filing No. 1

Department: Engineering, Alex Mestdagh

The Town Council approved the Minor Development Plat and Subdivision Agreement for Compark Village South Filing No. 1 on September 19, 2016. Per Town Code, a Developer has 90 days from the date of approval to record a plat and associated agreements before the approvals expire. The Developer of Compark Village South Filing No. 1 has previously requested and received three extensions of this expiration date.

The latest extension, which was granted by Town Council in September 2017, extended this expiration date to December 31, 2017. This was requested to allow the Developer time to reinstate an expired determination from the Army Corps of Engineers necessary to construct drainageway improvements with the project. The Town cannot grant construction permits for this project without this determination, or alternate Corps permits if required, in place.

The Developer has been working with the Corps on this issue and is still awaiting a determination. The Developer has requested that the expiration date for the Minor Development Plat and Subdivision Agreement be extended to December 31, 2018, to allow for additional time to complete this process with the Corps and to subsequently secure any permits that the Corps may require. The associated Subdivision Improvement Agreement has been restated to revise the completion date of the Public Improvements to October 31, 2019, and to revise the Public Improvements Cost Estimate to reflect increases in construction costs since the original estimate.

If this extension is not granted, the Developer will have until December 31, 2017 to record the Minor Development Plat and Subdivision Agreement before they expire.

John Diak moved to approve Resolution No. 17-020.2.

Josh Martin seconded the motion.

The motion was approved unanimously.

C. RESOLUTION NO. 17-064

A Resolution to Extend the Expiration Date of the Final Plats for Compark Village South Filing No. 2 and Compark Village South Filing No. 2 - Amendment 1, Through December 31, 2018

Department: Engineering, Alex Mestdagh

The Town Council approved the Final Plats for Compark Village South Filing No. 2 and Compark Village South Filing No. 2, Amendment No. 1 on April 23, 2017. Per Town Code, a Developer has 90 days from the date of approval to record a plat and associated agreements before the approvals expire. The Developer has previously requested and received one extension of this expiration date, which extended this expiration date to December 21, 2017.

These two projects are dependent on the infrastructure required to be constructed with Compark Village South Filing No. 1. Filing No. 1 requires the construction of the major roadway, drainage, and utility improvements needed serve Filing No. 2 and Filing No. 2, Amendment No. 1, so these projects cannot move forward before Filing No. 1. As discussed in Agenda Item 9.B., Filing No. 1 has been approved but has not moved into construction, as permitting issues with the Army Corps of Engineers have delayed construction. The Developer has requested that the expiration dates for the Final Plats for Filing No. 2 and Filing No. 2, Amendment No. 1 be extended to December 31, 2018, matching the expiration date requested for Filing No. 1.

If this extension is not granted, the Developer will have until December 21, 2017 to record the Minor Development Plat and Subdivision Agreement before they expire.

Joshua Rivero moved to approve Resolution No. 17-064.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

The meeting adjourned at 7:28 p.m.


Chris Vanderpool, Deputy Town Clerk


Mike Waid, Mayor