

# **TOWN OF PARKER COUNCIL AGENDA**

## **August 3, 2020**

### **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.

**Town Administrator Emergency Order No. 2-2020:** All municipal facilities, including Town Hall where Town Council meetings are physically held, are closed to all members of the general public in response to the COVID-19 pandemic.

**Town Administrator Emergency Order No. 4-2020:** Town Council meetings are closed to members of the general public in response to the COVID-19 pandemic. The Town will provide for electronic participation by the general public, including applicants, residents and other interested parties during regular and special Town Council meetings. Information regarding such electronic participation will be included on the Town Council's website [www.ParkerOnline.org/VirtualTownCouncilMeetings](http://www.ParkerOnline.org/VirtualTownCouncilMeetings).

**Town Administrator Emergency Order No. 8-2020:** Public comment for items that are not on the agenda may be made electronically at <http://parkeronline.org/CouncilPublicComment>. For those unable to provide comments electronically through the website, please contact the Clerk's Office to make alternative arrangements. The Town Clerk can be reached at 303-805-3198. Public comments that are provided by 5:00 p.m. on the day of the regular or special Town Council meeting will be provided to the Town Council and will be included with the approved minutes of the Town Council meeting.

**Virtual Public Participation by Zoom Webinar:** Instructions on how to participate in the public hearing are available by viewing the individual Town Council meeting listings on the Town's online calendar at [www.parkeronline.org/calendar](http://www.parkeronline.org/calendar).

**Public Viewing Only - Facebook Live:** Town Council meetings may be viewed through Facebook Live from the Town of Parker website: [www.facebook.com/townofparkerco](https://www.facebook.com/townofparkerco).

**PLEASE NOTE:** Public Participation is NOT available through Facebook Live.

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. **PARKER CHAMBER OF COMMERCE UPDATES**
3. **DOWNTOWN BUSINESS ALLIANCE UPDATES**
4. **PUBLIC COMMENTS** (No action will be taken on these items.) *Public Comment for items that are not on the agenda will be addressed in the manner provided by Town Administrator Emergency Order No. 8-2020.*

5. **REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL**

6. **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 - July 20, 2020*

B. *ORDINANCE NO. 5.06.42.1- First Reading  
A Bill for an Ordinance to Amend Section 7.03.020 of the Parker Municipal Code Concerning  
Restrictions on Use of Motorized Vehicles and Recreational Vehicles*

*Department: Town Attorney, Kristin Hoffmann  
Town Attorney, Jamie Wynn*

*Second Reading: August 17, 2020*

C. *RESOLUTION NO. 20-039  
A Resolution Authorizing the Use of Golf Cars and Off-Highway Vehicles on Certain Public  
Property Within the Town of Parker*

*Department: Town Attorney, Kristin Hoffmann  
Town Attorney, Jamie, Wynn*

D. *RESOLUTION NO. 20-003  
A Resolution Accepting the Conveyance of Real Property from the Board of County Commissioners  
of the County of Douglas for a Part of Compark Boulevard at Upland Drive*

*Department: Engineering/Public Works, Danny Smith*

E. *RESOLUTION NO. 20-034  
A Resolution Accepting the Conveyance of Real Property from JEN Partners, LLC, (Slope  
Easement) for a Parcel of Land Being Tracts F and G, Looking Glass Filing No. 1*

*Department: Engineering/Public Works, Tyler Sandt*

- F. *RESOLUTION NO. 20-035*  
*A Resolution Accepting the Conveyance of a Drainage Easement from Portercare Adventist Health System for Three Parcels of Land in Lot 1, Crown Point F. #1, Amendment 28*
- Department: Engineering/Public Works, Tyler Sandt*
- G. *RESOLUTION NO. 20-036*  
*A Resolution to Approve the Amended and Restated Employment Agreement for the Town Administrator*
- Department: Town Council*
- H. *RESOLUTION NO. 20-037*  
*A Resolution to Approve the Fourteenth Amendment to Employment Agreement for the Town Attorney*
- Department: Town Council*
- I. *RESOLUTION NO. 20-038*  
*A Resolution to Adopt a Town Council Policy Statement 1-12 Concerning the Council Liaison Policy*
- Department: Town Administrator, Dannette Robberson*
- J. *PROCLAMATION - Constitution Week - September 17-23, 2020*
- Department: Town Council*
- K. *CONTRACTS OVER \$100,000*
1. *Parker Road Sidewalk (Twenty Mile to Hess) - Final Design Services*
- Amount: \$115,608*  
*Contractor: Stanley Consultants, Inc.*  
*Department: Engineering and Public Works, Tom Gill*

**7. PUBLIC HEARINGS**

**A. OLDE TOWN AT PARKER - Rezone, Sketch and Preliminary Plans (Continued from 7/20/20)**

**Applicant:** Pacific North Enterprises, LLC  
**Location:** Generally located on the south side of Mainstreet between Jordan Road and Motsenbocker Road  
**Department:** Community Development, Carolyn Parkinson  
**TRAKiT No.:** Z19-014, SUB19-014/SUB19-015

- 1. ORDINANCE NO. 3.162.3 – Second Reading  
A Bill for an Ordinance to Amend the Olde Town at Parker Planned Development Guide and Plan, and to Amend the Zoning Ordinance and Map to Conform Therewith**
- 2. Filing 2 - Sketch and Preliminary Plans**

**8. ORDINANCES**

**ORDINANCE NO. 9.320 - Second Reading  
A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Board of County Commissioners of Douglas County, the Town of Castle Rock, the Town of Parker, the City of Lone Tree, the City of Castle Pines, and the Town of Larkspur Concerning Local Governmental Distribution Under the CARES Act**

**Department:** Town Attorney, Jim Maloney

**9. ADJOURNMENT**



***Parker Town Council***

# **Executive Session Agenda**

August 3, 2020

“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. Proposed Tax and Fee Assistance Agreements for Wild Goose on Pikes Peak Avenue
2. Proposed Tax and Fee Assistance Agreements for The Big Toolbox on Cockrell Drive
3. Letter of intent to purchase the East Main property as a part of the My Mainstreet project
4. My Mainstreet proposed purchase of PACE Lot 2

**TOWN OF PARKER COUNCIL  
MINUTES  
JULY 20, 2020**

Mayor Mike Waid called the meeting to order at 5:30 P.M. All Councilmembers were present with Renee Williams participating by phone.

The Town Attorney Jim Maloney announced that the topics for discussion in Executive Session were seven (7) items; under C.R.S. § 24-6-402(4)(e) there were three (3) items, the first was Resolution No. 16-051, Series of 2016, concerning the application of a condition of approval to the Public Service Company transmission line project in the Town, the second was the Proposed Tax and Fee Assistance Agreement for the Havana Bakery on Pikes Peak Avenue, and the third was Section 13.04.240(b)(5) of the Parker Municipal Code concerning ORDINANCE NO. 3.162.3 – A Bill for an Ordinance to Amend the Olde Town at Parker Planned Development Guide and Plan, and to Amend the Zoning Ordinance and Map to Conform Therewith; under C.R.S. § 24-6-402(4)(f) there were two (2) items, the first was the Town Administrator Evaluation Process and the second was the Town Attorney Evaluation Process; under C.R.S. § 24-6-402(4)(b) there were two (2) items, the first was to receive legal advice on specific legal questions concerning Chapter 10.08 of the Parker Municipal Code concerning assembly permits for the communication or expression of ideas, views and grievances and the second item was to receive legal advice on specific legal questions concerning Executive Order D 2020 138, Ordering Individuals in Colorado to Wear Non-Medical Face Coverings, and Tri-County Health Department Public Health Order Requiring Facial Coverings in Public Where Social Distancing Cannot Be Maintained.

**EXECUTIVE SESSION**

Joshua Rivero moved and Debbie Lewis seconded to go into Executive Session at 5:32 P.M. to hold a conference with the Town's attorney 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), to consider personnel matters, pursuant to C.R.S. § 24-6-402(4)(f) and to hold a conference with the Town's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b).

Joshua Rivero disclosed that in an effort to protect the Town from any conflict of interest, perceived or otherwise, he recused himself from any discussion on Item 2. This item concerns a TAP agreement with a potential direct competitor in close proximity to one of his business locations.

The motion was approved unanimously.

Joshua Rivero left the meeting at 5:39 P.M. when Item 2 was discussed and returned to the meeting at 5:47 P.M. following the discussion of Item 2.

Joshua Rivero moved and Debbie Lewis seconded to come out of the Executive Session at 6:52 P.M.

The motion was approved unanimously.

Debbie Lewis moved and Renee Williams seconded to recess the regular meeting until 7:00 P.M.

The motion was approved unanimously.

### **REGULAR MEETING**

Mayor Waid reconvened the meeting at 7:03 P.M. All Councilmembers were present with Renee Williams participating virtually.

The Mayor led the Pledge of Allegiance.

### **PUBLIC COMMENTS**

Copies of the General Public Comments were distributed to Council and will be attached to the approved minutes.

### **REPORTS, ITEMS AND COMMENTS FROM MAYOR AND COUNCIL**

Each Councilmember provided an update on meetings they each attended since the last Council meeting.

### **CONSENT AGENDA**

#### **A. APPROVAL OF MINUTES - July 6, 2020**

#### **B. ORDINANCE NO. 9.320 - First Reading**

*A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Board of County Commissioners of Douglas County, the Town of Castle Rock, the Town of Parker, the City of Lone Tree, the City of Castle Pines, and the Town of Larkspur Concerning Local Governmental Distribution Under the CARES Act*

*Department: Town Attorney, Jim Maloney*

*Second Reading: August 3, 2020*

#### **C. CONTRACTS OVER \$100,000**

##### **1. Jordan Road Pedestrian Hybrid Beacon (CIP 20-019)**

*Amount: \$161,405.00*

*Contractor: TAT Construction, LLC*

*Department: Engineering/Public Works, Spencer Raish*

Joshua Rivero moved and Debbie Lewis seconded to approve Consent Agenda Items 4A through 4C.

The motion was approved unanimously.

### **TOWN ADMINISTRATOR**

The Summer 2020 TA Report is available on the Town's web site.

**PUBLIC HEARINGS****OLDE TOWN AT PARKER - Rezone, Sketch and Preliminary Plans (Continued to 8/3/20)**

**Applicant:** Pacific North Enterprises, LLC  
**Location:** Generally located on the south side of Mainstreet between Jordan Road and Motsenbocker Road  
**Department:** Community Development, Carolyn Parkinson  
**TRAKiT No.:** Z19-014, SUB19-014/SUB19-015

1. Cheryl Poage moved to continue the Public Hearing and Ordinance No. 3.162.3 to August 3, 2020.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

2. John Diak moved that the Planning Commission recommendation concerning Ordinance No. 3.162.3 be remanded to allow the Planning Commission to reopen the public hearing that was held on June 25, 2020, for the purpose of obtaining more information from those members of the public that were not able to participate in the public hearing because they incorrectly accessed the public hearing through the Facebook Live link instead of the Zoom Webinar link that was provided on the Town's website and described in the Planning Commission meeting agenda that was properly posted for the public hearing, to help clarify or supplement the recommendation that was made by the Planning Commission concerning Ordinance No. 3.162.3, at the next available Planning Commission meeting which is July 23, 2020.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

3. Joshua Rivero moved to continue the Olde Town at Parker F2 Sketch and Preliminary Plans to August 3, 2020.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

4. Joshua Rivero moved that the Planning Commission recommendation concerning the Olde Town at Parker F2 Sketch and Preliminary Plans be remanded to allow the Planning Commission to reopen the public hearing that was held on June 25, 2020, for the purpose of obtaining more information from those members of the public that were not able to participate in the public hearing because they incorrectly accessed the public hearing through the Facebook Live link instead of the Zoom Webinar link that was provided on the Town's website and described in the Planning Commission meeting agenda that was properly posted for the public

hearing, to help clarify or supplement the recommendation that was made by the Planning Commission concerning the Olde Town at Parker F2 Sketch and Preliminary Plans, at the next available Planning Commission meeting which is July 23, 2020.

John Diak seconded the motion.

The motion was approved unanimously.

1. **ORDINANCE NO. 3.162.3 – Second Reading**  
**A Bill for an Ordinance to Amend the Olde Town at Parker Planned Development Guide and Plan, and to Amend the Zoning Ordinance and Map to Conform Therewith**
2. **Filing 2 - Sketch and Preliminary Plans**

## **RESOLUTIONS**

### **RESOLUTION NO. 20-033**

#### **A Resolution to Opt-Out of the Tri-County Health Department Order to Require Mandatory Mask Wearing for All Residents of Douglas County, Colorado**

**Department:**      **Town Attorney, Jim Maloney**

The Mayor provided background to clarify what brought the Town to this point      regarding mandatory mask wearing for all residents.

The Governor of the State of Colorado issued Executive Order D 2020 138 on July 16, 2020 ordering individuals in Colorado to wear non-medical face coverings. The reasons that the Executive Order and the Tri County Health Department Order (TCHD) differ and result in non-uniformity across jurisdictions within the State of Colorado with respect to the requirement to wear face coverings, the Town Council desires to reduce confusion among its residents concerning compliance with the TCHD Order and the Executive Order, and opting out of the TCHD Order will result in Parker residents being subject to the same requirements as other Colorado residents.

Attorney Hoffmann articulated what is currently in the resolution and what the proposed revisions are. She hoped it would clear up any confusion having two Orders out there at the same time.

#### **Public Comment:**

The following individuals spoke in favor of masks:

- \* Brandi Wilkes 17402 E. Neutown Parkway
- \* Brian Reed, 5618 Saddle Creek Trail (unincorporated Douglas County)
- \* Shawn Sindelman - 11300 Whooping Crane

The following individuals made somewhat different comments:

- \* Laura Hefta, 18236 Shadberry Lane - asked for more guidance or clarification from the Governor
- \* Fritz Freund, 11880 Tamarron Dr. - does not believe it is constitutional but if businesses want to mandate masks, then they should.

Jeff Toborg moved to approve Resolution No. 20-033 with the changes to the resolution as noted by Deputy Town Attorney Hoffmann.

Joshua Rivero seconded the motion.

The motion was approved unanimously.

## **ORDINANCES**

### **A. ORDINANCE NO. 1.543 - Second Reading**

**A Bill for an Ordinance Approving the Well Site Easement Agreement (DD-4) by the Town of Parker and the Cottonwood Water and Sanitation District Concerning a Portion of Tract C, Cottonwood Subdivision Filing No. 8**

**Department: Engineering and Public Works, Tom Gill**

This ordinance proposes to dedicate a well site easement to the Cottonwood Water and Sanitation District (CWSD) over Town-owned property. This easement is being requested to allow CWSD legal access to their well site.

During the negotiations with the Cottonwood Metropolitan District (CMD) and based on title work done for the trailhead tract, it was also discovered Cottonwood Water & Sanitation District (CWSD) did not have an easement for their well site, well building and related infrastructure that was constructed on the trailhead property in the 1980s. Staff felt it would be most efficient to first transfer the property to the Town and then execute a dedication of the easement to CWSD for the well improvements. This agreement dedicates the necessary easement to CWSD for the proper maintenance and operations of their facilities.

### **Public Comment - None**

Cheryl Poage moved to approved Ordinance No. 1.543 on second reading.

John Diak seconded the motion.

The motion was approved unanimously.

**B. ORDINANCE NO. 9.319 - Second Reading****A Bill for an Ordinance Approving the Intergovernmental Agreement Between the Douglas County Clerk and Recorder and the Town of Parker Regarding the Conduct and Administration of the November 3, 2020, Coordinated Election**

**Department:      Town Attorney, Kristin Hoffmann  
                            Town Clerk, Carol Baumgartner**

The Town's regular election will be conducted as a coordinated election with Douglas County. Under the Uniform Election Code, the Town and Douglas County are required to enter into an intergovernmental agreement (IGA) to govern the conduct of the election, pursuant to C.R.S. § 1-7-116(2).

**Public Comment - None**

Joshua Rivero moved to approve Ordinance No. 9.319 on second reading.

Debbie Lewis seconded the motion.

The motion was approved unanimously.

**ADJOURNMENT**

The meeting was adjourned at 8:08 P.M.

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Carol Baumgartner, Town Clerk

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Mike Waid, Mayor



## Request for Town Council Action

**Date:** August 3, 2020

**Submitted By:** Kristin Hoffmann, Deputy Town Attorney

**Reviewed By:** Michelle Kivela, Town Administrator

**Title:** **ORDINANCE NO. 5.06.42.1- First Reading**  
**A Bill for an Ordinance to Amend Section 7.03.020 of the**  
**Parker Municipal Code Concerning Restrictions on Use of**  
**Motorized Vehicles and Recreational Vehicles**

**Department:** Town Attorney, Kristin Hoffmann  
Town Attorney, Jamie Wynn

**Second Reading:** August 17, 2020

### EXECUTIVE SUMMARY

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The proposed ordinance will amend Chapter 7.03 to allow the use of motor vehicles and recreational vehicles on public property, parks, trails and sidewalks within the Town, by Town Council resolution, and expands the exception for public employees or agents maintaining, repairing or patrolling the properties, to those of special/metropolitan districts and homeowner/business owners associations.

### STAFF RECOMMENDATION

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Approve

### BACKGROUND/DISCUSSION

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Generally the Town Code does not allow the use of golf carts or off-highway vehicles, such as ATVs, on Town roadways, trails or sidewalks. Homeowners/business owners associations and metropolitan/special districts utilize these vehicles for maintenance activities, such as landscaping and snow removal. Without authorization to utilize Town sidewalks, trails and at-grade crossings, it can be difficult for those maintenance activities to occur.

Colorado state statute allows the Town to authorize and regulate the operation of golf carts and "off-highway vehicles" on its roadways. The Town Municipal Code generally does not allow the use of recreational vehicles on Town property, although there are several exceptions identified in Chapter 7.03.



The proposed ordinance will amend Chapter 7.03 to allow the use of motor vehicles and recreational vehicles on public property, parks, trails and sidewalks within the Town, by Town Council resolution; previously it was only allowed on public property as part of a community event permit. It also expands the exception for public employees or agents maintaining, repairing or patrolling the properties, to those of special/metropolitan districts and homeowner/business owners associations. Finally, subsection (6) provided that the Mayor may issue permits; this has been revised to the Town Administrator or designee.

#### **FINANCIAL IMPACT**

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None.

#### **STRATEGIC GOAL(S)**

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#### **ATTACHMENTS**

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1. Ordinance No. 5.06.42.1

#### **RECOMMENDED MOTION**

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I move to approve Ordinance No. 5.06.42.1 on first reading and to schedule second reading on August 17, 2020, as part of the consent agenda.

ORDINANCE NO. 5.06.42.1, Series of 2020

**TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTION 7.03.020 OF THE PARKER MUNICIPAL CODE CONCERNING RESTRICTIONS ON USE OF MOTORIZED VEHICLES AND RECREATIONAL VEHICLES**

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

**Section 1.** Section 7.03.020 of the Parker Municipal Code is amended to read as follows:

**7.03.020 Restrictions on use.**

(a) It is unlawful for any person to operate any licensed or unlicensed motor vehicle or recreational vehicle, whether registered or unregistered, in any of the following places, unless the property is posted for the specific use of motor vehicles and recreational vehicles as a recreational area:

(1) On any public property within the corporate limits of the Town, unless such operation is specifically authorized by the Town Administrator or designee, as part of a community event under Chapter 10.08 of this Code, or by the Town Council by resolution. This provision is not intended to prevent the operation of motorized vehicles on these properties by a ~~public~~Town, special district, metropolitan district or homeowners/business owners association employee or agent for the purpose of maintaining, repairing or patrolling the properties;

(2) On any property located within the Town and owned or maintained by the County, except upon roadways specifically designated for the operation of motor vehicles, unless such operation is specifically authorized by the County Commissioners or their designee and a permit has been obtained therefor;

(3) On any park land or other property located within the Town and owned or maintained by any recreation or park district, or by any metropolitan district or special district, or homeowners/business owners association, except upon roadways specifically designated for the operation of motor vehicles, unless such operation is specifically authorized by the executive director or association president, -or his or her designee, and a permit has been obtained therefor;

(4) On any property or other property located within the Town and owned or maintained by a school district or any college or university, except upon roadways specifically designated for the operation of motor vehicles, except where such operation is specifically authorized by the superintendent or chief executive officer of the school or school district or his or her designee and a permit has been obtained therefor. This prohibition shall not apply to the

movement of school buses or other vehicles duly authorized to be operated or moved in or upon any school grounds;

(5) On any railroad right-of-way;

(6) On any private property within the Town, except by the property owner only, unless the property is conspicuously posted at least every two hundred fifty (250) feet designating the property as a motor vehicle and recreational vehicle area or park. The ~~Mayor or the Mayor's designated representative~~ Town Administrator or designee may issue a permit for such use and may set out rules and regulations for the usage that may be in the best interest of the health, safety and welfare of the users and the citizens of the Town. The permit shall set forth the effective date of the use, hours of the use, the name of the property owner or his or her agent, and any specific conditions attached to the permit. A copy of the order is to be delivered to the Police Department prior to the effective date of the authorization, together with a telephone number where the property owner or his or her agent may be reached on a twenty-four-hour basis;

(7) On any other publicly or privately owned parks, ball fields, recreation areas, bike trails, horse trails, lake areas, easements, sidewalks or areas dedicated to or commonly used for pedestrian traffic, unless such operation is specifically authorized by Town Council resolution; provided, however, that a children's play vehicle may be operated on any sidewalk adjacent to private property or sidewalks adjacent to any public street that is not a state highway. This provision is not intended to prevent the operation of motorized vehicles on these properties by an employee or agent of the owner, metropolitan district, special district, or homeowners/business owners association for the purpose of maintaining, repairing or patrolling the properties;

(8) On any gulch, dry creek bed, drainage way or one-hundred-year floodplain within the Town. *One-hundred-year floodplain* is that area specifically defined by maps and charts located in the Town Planning Department.

(b) Nothing in this Section is intended to prevent the lawful operation of any motor vehicle or recreational vehicle on any public street, highway or alley in accordance with other applicable ordinances of the Town or statutes of the State.

(c) It is unlawful for any person knowingly to allow the use of his or her property in a manner prohibited by this Section or to allow such use without the proper authorization or permit required by this Section. Each day of use in a manner prohibited by this Section or without a proper authorization or permit shall constitute a separate offense.

**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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
James S. Maloney, Town Attorney



## Request for Town Council Action

**Date:** August 3, 2020

**Submitted By:** Kristin Hoffmann, Deputy Town Attorney

**Reviewed By:** Michelle Kivela, Town Administrator

**Title:** **RESOLUTION NO. 20-039**  
**A Resolution Authorizing the Use of Golf Cars and Off-Highway Vehicles on Certain Public Property Within the Town of Parker**

**Department:** **Town Attorney, Kristin Hoffmann**  
**Town Attorney, Jamie, Wynn**

### EXECUTIVE SUMMARY

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The proposed resolution would authorize the use of off-highway vehicles and golf carts on certain sidewalks, trails, and at-grade crossings by a registered homeowner association, business owner association, metropolitan district or special district for maintenance activities.

### STAFF RECOMMENDATION

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Approve

### BACKGROUND/DISCUSSION

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Generally the Town Code does not allow the use of golf carts or off-highway vehicles, such as ATVs, on Town roadways, trails or sidewalks. Homeowners/business owners associations and metropolitan/special districts utilize these vehicles for maintenance activities, such as landscaping and snow removal. Without authorization to utilize Town sidewalks, trails and at-grade crossings, it can be difficult for those maintenance activities to occur.

Colorado state statute allows the Town to authorize and regulate the operation of golf carts and "off-highway vehicles" on its roadways. The proposed resolution would authorize the use of off-highway vehicles and golf carts on any sidewalk adjacent to private property; any sidewalk adjacent to any public street that is not a state highway; trails; and any at-grade crossings of roadways within the Town. The right to use those vehicles is limited to maintenance activities by a registered homeowner association, business owner association, metropolitan district or special district, who must submit and obtain a permit from the Chief of Police or his designee for the vehicle.

**FINANCIAL IMPACT**

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None.

**STRATEGIC GOAL(S)**

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**ATTACHMENTS**

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1. Resolution No. 20-039

**RECOMMENDED MOTION**

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I move to approve Resolution No. 20-039, as part of the consent agenda.

**RESOLUTION NO. 20-039, Series of 2020**

**TITLE: A RESOLUTION AUTHORIZING THE USE OF GOLF CARS AND OFF-HIGHWAY VEHICLES ON CERTAIN PUBLIC PROPERTY WITHIN THE TOWN OF PARKER**

WHEREAS, Colo. Rev. Stat. § 42-4-111(1)(bb) allows the Town of Parker, by resolution, to authorize and regulate the operation of golf cars on roadways;

WHEREAS, Colo. Rev. Stat. §§ 33-14.5-108(1)(f) and 33-14.5-110(1)(a) allow the Town of Parker, by resolution, to establish off-highway vehicle routes to permit the operation of off-highway vehicles on Town streets and to regulate the operation of off-highway vehicles on public lands and on streets and highways within its boundaries; and

WHEREAS, the Town Council desires to allow the operation of golf cars and off-highway vehicles on sidewalks, trails and other public property within the Town of Parker for the purposes of performing maintenance by homeowners/business owners associations, metropolitan districts and special districts, or the companies with which they contract for maintenance services.

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 authorizes the use of golf cars, as that term is defined in C.R.S. § 42-1-402(39.5), on (a) any sidewalk adjacent to private property; (b) any sidewalk adjacent to any public street that is not a state highway; (c) trails; and (d) at-grade crossings of roadways within the Town of Parker, upon submittal and approval of a permit and under such conditions of the permit as may be required by the Chief of Police or his designee. Such right to use golf cars shall be limited to the purpose of performing maintenance activities (such as landscaping or snow removal) by, or on behalf of, a homeowners/business owners association, metropolitan district or special district.

Section 2. Nothing herein authorizes an unlicensed driver of a golf car to carry a passenger who is under 21 years of age, operation of a golf car by a person under 16 years of age, or operation of a golf car on a state highway.

Section 3. The Town Council of the Town of Parker hereby authorizes the use of off-highway vehicles, as that term is defined in C.R.S. § 33-14.5.101(3), on (a) any sidewalk adjacent to private property; (b) any sidewalk adjacent to any public street that is not a state highway; (c) trails; and (d) at-grade crossings of roadways within the Town of Parker, upon submittal and approval of a permit and under such conditions of the permit as may be required by the Chief of Police or his designee. Such right to use off-highway vehicles shall be limited to the purpose of performing maintenance activities (such as landscaping or snow removal) by, or on behalf of, a homeowners/business owners association, metropolitan district or special district. At the time of application for the permit, the applicant shall submit a list of off-highway vehicle routes that shall be utilized by the permit holder for such limited maintenance use.

Section 4. No provision in this Resolution authorizes the placement of any snow, ice, or other material on the public roadway or in designated bicycle lanes.

RESOLVED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

TOWN OF PARKER, COLORADO

\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk





## Request for Town Council Action

**Date:** August 3, 2020

**Submitted By:** Danny Smith, Operations Manager, Streets & Stormwater Maintenance

**Reviewed By:** Michelle Kivela, Town Administrator

**Title:** **RESOLUTION NO. 20-003**  
**A Resolution Accepting the Conveyance of Real Property from the Board of County Commissioners of the County of Douglas for a Part of Compark Boulevard at Upland Drive**

**Department:** Engineering/Public Works, Danny Smith

### EXECUTIVE SUMMARY

---

If approved, this resolution will accept the conveyance of Douglas County right-of-way for Compark Boulevard from the Upland Drive intersection to the Prairie Trail Drive intersection.

### STAFF RECOMMENDATION

---

Approve

### BACKGROUND/DISCUSSION

---

In 2019, staff reviewed the 2019/2020 snow season roadway priorities. As part of that review, staff identified a 700-foot section of Compark Boulevard between the Upland Drive intersection and the Prairie Trail Drive intersection that was part of the Town's snow route but was not within our corporate limits. This gap was evaluated and staff decided it would be beneficial from a jurisdictional perspective to pursue the conveyance of this roadway section from Douglas County. The roadway is a major collector roadway that supports the adjacent Town annexed development in this area.

In the fall of 2019, Town staff commenced a quit claim deed process with Douglas County to convey this right-of-way to the Town. The Board of County Commissioners approved the quit claim deed on November 12, 2019. A Town Council resolution is needed to accept this conveyance. The process to annex this roadway will occur following the acceptance of the conveyance to clean up the jurisdictional issues.

## **FINANCIAL IMPACT**

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As with any improvement, long-term maintenance will be required. This roadway is an asphalt roadway which will require preventative maintenance and resurfacing maintenance. Using a standard thirty (30) year life cycle for this segment of roadway, the cost of maintaining and operating over the life of the roadway will be \$1,122,00.00 or \$37,400.00 annually.

This life cycle cost includes preventative maintenance such as crack seal, chip seal, resurfacing, and reconstruction at the end of the thirty (30) year life.

## **STRATEGIC GOAL(S)**

---



INNOVATE WITH  
COLLABORATIVE  
GOVERNANCE



DEVELOP A VISIONARY  
COMMUNITY THROUGH  
BALANCED GROWTH

## **ATTACHMENTS**

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1. Compark Blvd Conveyance Vicinity Map
2. Resolution No. 20-003

## **RECOMMENDED MOTION**

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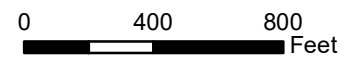
I move to approve Resolution No. 20-003, as part of the consent agenda.



# Compark Blvd Conveyance Vicinity Map



Quitclaim parcel to be accepted into the Town



-  Compark Blvd Conveyance
-  Parker Town Boundary



RESOLUTION NO. 20-003, Series of 2020

**TITLE: A RESOLUTION ACCEPTING THE CONVEYANCE OF REAL PROPERTY FROM THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS FOR A PART OF COMPARK BOULEVARD AT UPLAND DRIVE**

WHEREAS, the Town Council of the Town of Parker desires to accept the conveyance of certain real property from the Board of County Commissioners of the County of Douglas for a part of Compark Boulevard at Upland Drive;

WHEREAS, Section 1.06.010 of the Town of Parker Municipal Code requires the acceptance of a conveyance of real property to the Town be effectuated by resolution; and

WHEREAS, the Town Council of the Town of Parker desires to accept the conveyance of the property interests specified hereinbelow to the Town by this Resolution.

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 accepts the conveyance of real property from the Board of County Commissioners of the County of Douglas for a part of Compark Boulevard at Upland Drive, as provided in the Quit Claim Deed attached as **Exhibit 1**, and incorporated by this reference.

RESOLVED AND PASSED this \_\_\_\_ day of \_\_\_\_\_, 2020.

TOWN OF PARKER, COLORADO

\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk

# QUITCLAIM DEED

**AMY T. WILLIAMS**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
**NOTARY ID 19974000634**  
**MY COMMISSION EXPIRES 2/08/2021**

## LEGAL DESCRIPTION EXHIBIT "A"

A PARCEL OF LAND BEING A PART OF COMPARK BOULEVARD, RECORDED IN BOOK 1840 AT PAGE 1577, UPLAND DRIVE, AS SHOWN ON AND DEDICATED BY COMPARK FILING NO. 2 PLAT, RECORDED AT RECEPTION NO. 00031092 AND UPLAND DRIVE AS SHOWN ON AND DEDICATED BY HIGHFIELD BUSINESS PARK PLAT, RECORDED AT RECEPTION NO. 2007041581, ALL IN THE RECORDS OF THE DOUGLAS COUNTY, COLORADO CLERK AND RECORDER'S OFFICE, LYING WITHIN THE NORTH HALF OF SECTION 6, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE MOST SOUTHERLY CORNER OF LOT 1, SAID COMPARK FILING NO. 2, BEING THE SOUTHEASTERLY TERMINUS OF THAT CERTAIN COURSE SHOWN AS HAVING A BEARING OF NORTH 59°37'14" WEST, A DISTANCE OF 103.25 FEET, AS SHOWN ON SAID COMPARK FILING NO. 2, ALL BEARINGS HEREON ARE REFERENCED TO THIS LINE;

THENCE SOUTH 30°22'46" WEST, A DISTANCE OF 90.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF SAID COMPARK BOULEVARD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, THE FOLLOWING THREE (3) COURSES:

1. NORTH 59°37'14" WEST, A DISTANCE OF 103.25 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 555.00 FEET;
2. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°06'53", AN ARC LENGTH OF 301.39 FEET;
3. SOUTH 89°15'54" WEST, A DISTANCE OF 235.85 FEET;

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY, NORTH 00°12'05" WEST, A DISTANCE OF 110.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF SAID UPLAND DRIVE, AS SHOWN ON AND DEDICATED BY HIGHFIELD BUSINESS PARK PLAT;

THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY, NORTH 89°54'45" EAST, A DISTANCE OF 70.00 FEET TO THE SOUTHERLY BOUNDARY OF SAID LOT 1;

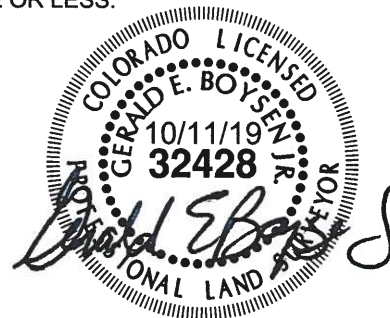
THENCE ALONG SAID SOUTHERLY BOUNDARY, THE FOLLOWING FOUR (4) COURSES:

1. SOUTH 45°28'06" EAST, A DISTANCE OF 27.03 FEET;
2. NORTH 89°15'54" EAST, A DISTANCE OF 145.80 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 645.00 FEET;
3. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°06'53", AN ARC LENGTH OF 350.27 FEET;
4. SOUTH 59°37'14" EAST, A DISTANCE OF 103.25 FEET TO THE POINT OF BEGINNING.

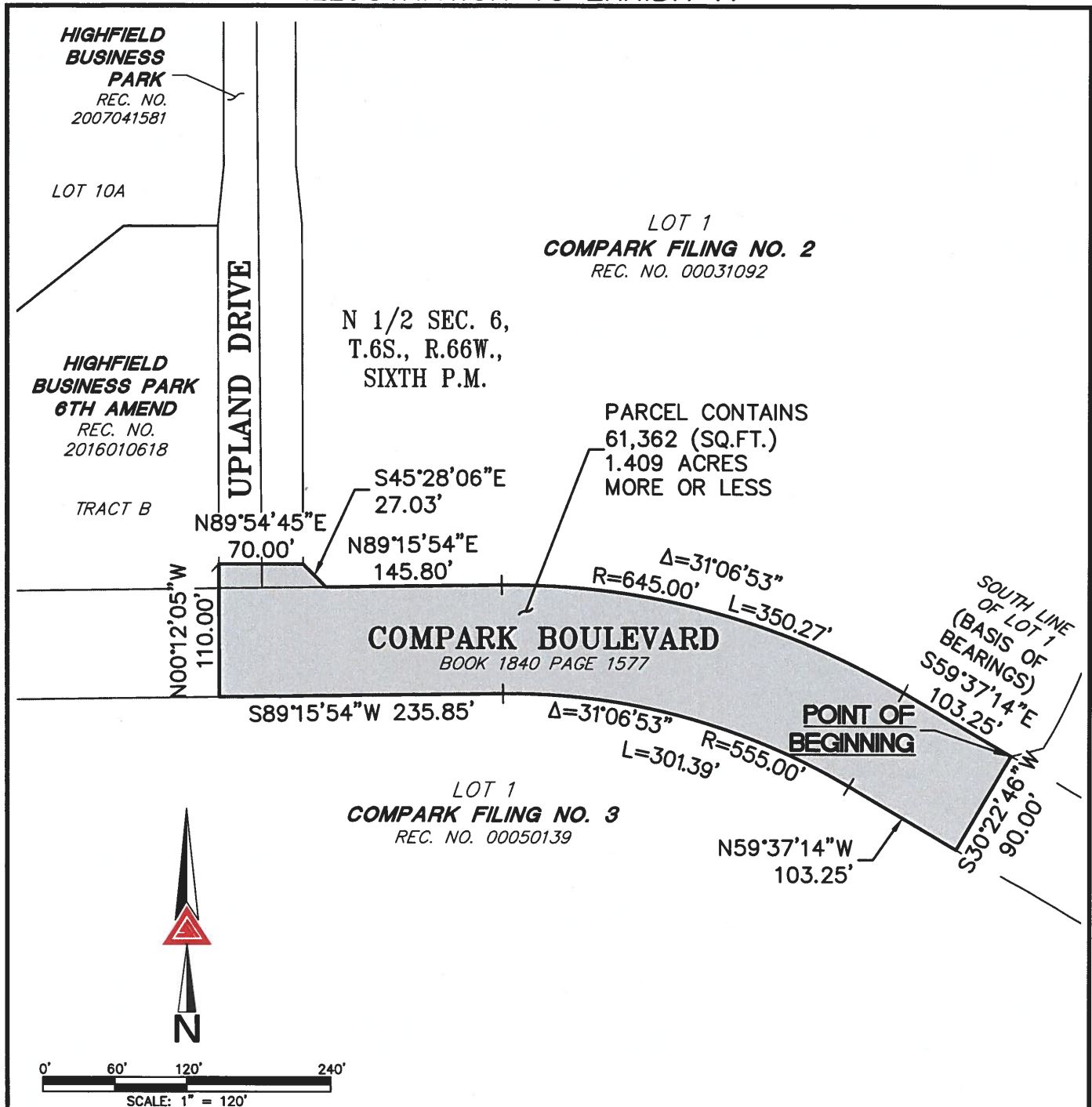
CONTAINING AN AREA OF 1.409 ACRES, (61,362 SQUARE FEET), MORE OR LESS.

EXHIBIT ATTACHED AND MADE A PART HEREOF.

GERALD E. BOYSEN JR.  
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 32428  
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.  
300 E. MINERAL AVENUE, SUITE 1, LITTLETON, CO 80122  
(303) 718-1898



# ILLUSTRATION TO EXHIBIT A



NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION.

PATH:  
 DWG NAME: **COMPARK BLVD.DWG**  
 DWG: **BAM** CHK: **GEB**  
 DATE: **10/10/2019**  
 SCALE: **1" = 120'**



**AZTEC**  
CONSULTANTS, INC.

300 East Mineral Ave,  
 Suite 1  
 Littleton, Colorado 80122  
 Phone: (303)713-1898  
 Fax: (303)713-1897  
 www.aztecconsultants.com

Q:24919-14 - COMPARK BLVD ROW - L&E\DWG\EXHIBITS\

## EXHIBIT A

N 1/2 SEC. 6, T.6S., R.66W., 6TH P.M.  
 DOUGLAS COUNTY, COLORADO

JOB NUMBER 24919-14

2 OF 2 SHEETS



## Request for Town Council Action

**Date:** August 3, 2020

**Submitted By:** Tyler Sandt, Development Review Engineer

**Reviewed By:** Michelle Kivela, Town Administrator

**Title:** **RESOLUTION NO. 20-034**  
**A Resolution Accepting the Conveyance of Real Property from JEN Partners, LLC, (Slope Easement) for a Parcel of Land Being Tracts F and G, Looking Glass Filing No. 1**

**Department:** Engineering/Public Works, Tyler Sandt

### EXECUTIVE SUMMARY

---

This item accompanies a resolution accepting the conveyance of real property covering roadway improvements proposed with the final plat for portions of Tracts F and G, Looking Glass Filing No. 1.

### STAFF RECOMMENDATION

---

Approve

### BACKGROUND/DISCUSSION

---

Slope easements are necessary to ensure the long-term operation and maintenance of Town roadways when there is a significant grade change outside of the right-of-way. These easements ensure the adjacent property owner does not make any modifications near the road that could adversely affect the roadway template without permission from the Town.

The Engineering Department has reviewed and approved the construction drawings for the roadway improvements associated with an approved Final Plat for Looking Glass Filing No. 1. Since the grading is proposed outside of the limits of the plat, the easement needs to be dedicated by separate document.

### FINANCIAL IMPACT

---

Any current or future improvements within the slope easement are the maintenance responsibility of the property owner, there is no financial impact to the Town.

### STRATEGIC GOAL(S)

---





PROMOTE A SAFE AND  
HEALTHY COMMUNITY

## **ATTACHMENTS**

---

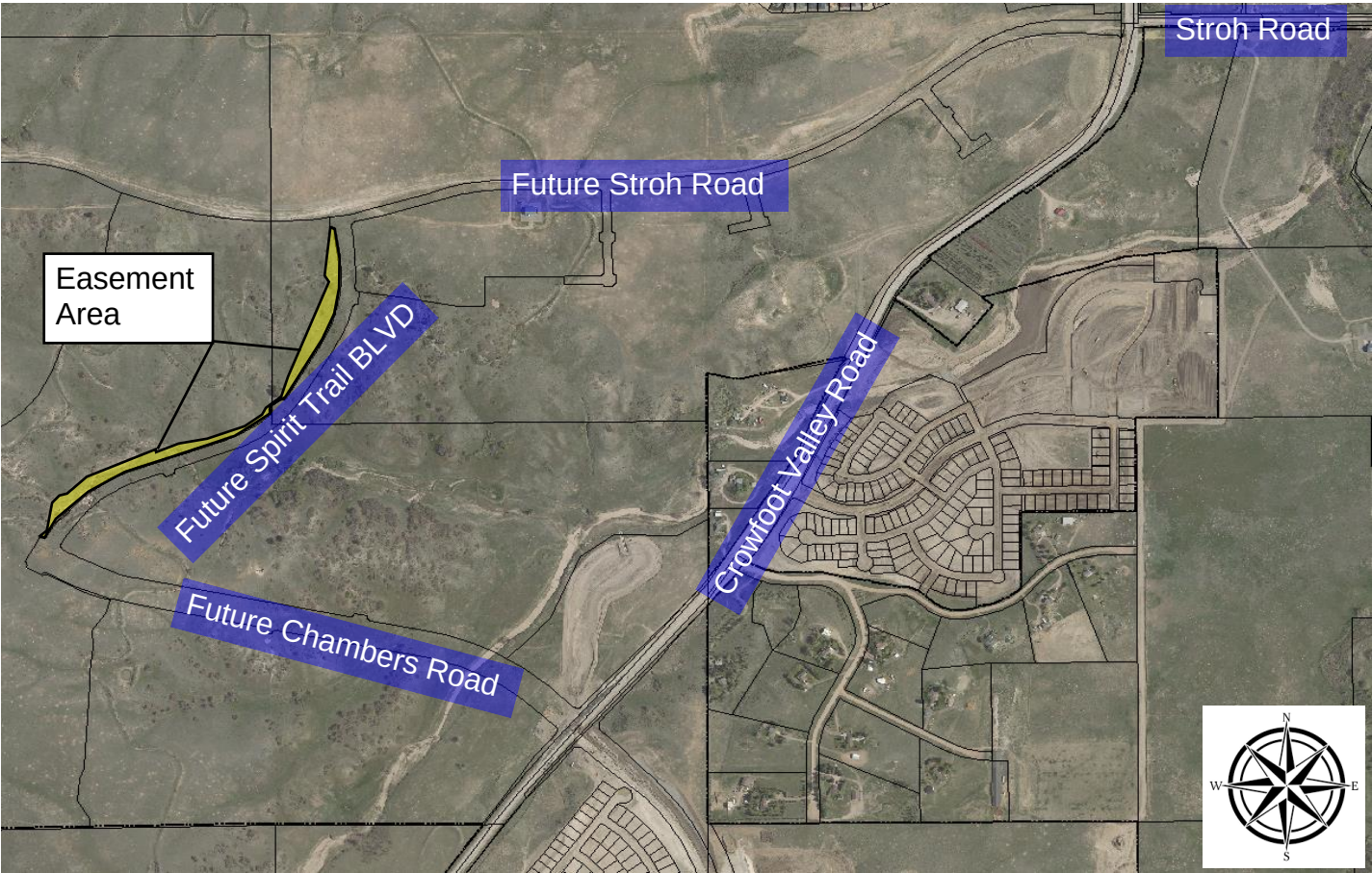
1. Vicinity Map
2. Resolution No. 20-034

## **RECOMMENDED MOTION**

---

I move to approve Resolution No. 20-034, as part of the consent agenda.

**Vicinity Map**



RESOLUTION NO. 20-034, Series of 2020

**TITLE: A RESOLUTION ACCEPTING THE CONVEYANCE OF REAL PROPERTY FROM JEN PARTNERS, LLC (SLOPE EASEMENT) FOR A PARCEL OF LAND BEING TRACTS F AND G, LOOKING GLASS FILING NO. 1**

WHEREAS, the Town Council of the Town of Parker desires to accept the conveyance of certain real property from JEN Partners, LLC, for a slope easement;

WHEREAS, Section 1.06.010 of the Town of Parker Municipal Code requires the acceptance of a conveyance of real property to the Town be effectuated by resolution; and

WHEREAS, the Town Council of the Town of Parker desires to accept the conveyance of the property interests specified hereinbelow to the Town by this Resolution.

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 accepts the conveyance of real property for a slope easement, from JEN Partners, LLC, as provided in the Slope Easement attached as **Exhibit 1**, and incorporated by this reference.

RESOLVED AND PASSED this \_\_\_\_ day of \_\_\_\_\_, 2020.

TOWN OF PARKER, COLORADO

\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk

## **EXHIBIT 1**

### **SLOPE EASEMENT**

THIS SLOPE EASEMENT, made this \_\_\_\_ day of \_\_\_\_\_, 2020, between JEN Colorado 18 LLC, a Colorado limited liability company whose legal address is c/o JEN Partners, LLC, 650 Fifth Avenue, 25<sup>th</sup> Floor, New York, NY 10019 (the “Grantor(s)”), and the TOWN OF PARKER, a Colorado home rule municipality, whose legal address is 20120 E. Mainstreet, Parker, CO 80138 (the “Grantee”).

THE GRANTOR, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell and convey unto the Grantee, its successors and assigns forever, a perpetual easement over, across and on, the following described real property located in the County of Douglas, State of Colorado, and described as follows:

(See attached Exhibit “A”)

Said easement is for the purpose of providing and maintaining (1) a proper sight distance and line of sight, (2) lateral support, and (3) proper drainage grade, as determined by the Parker Public Works Department, for a public roadway, road shoulder and attendant road improvements and construction. Grantee, its successors, contractors or assigns, and their agents and employees shall have full right to enter at all times upon said premises to survey, construct, repair, remove, replace, reconstruct, inspect, improve and maintain a suitable slope or grade which will provide the above mentioned proper sight distance and line of sight, lateral support, and proper drainage grade.

Grantor retains the right to use said property for any and all purposes which will not interfere with the Grantee’s full use and enjoyment of the rights acquired herein. Provided, however, Grantor or its successors, assigns and subsequent Grantees, will not use or improve said property or grant any easements upon, over, across or under said property without first obtaining the written consent of the Grantee. Such consent will not be unreasonably withheld provided that the sight distance and line of sight, lateral support and proper drainage grade necessary for the roadway and its attendant facilities, as determined by the Grantee, is maintained.

Grantor for itself, its successors and assigns, does covenant, grant, bargain and agree with the Grantee, its successors and assigns, that at the time of the signing and delivery of this easement, it is well seized of the property on which the easement above conveyed is located, and has good, sure, perfect, absolute and indefeasible estate, in law, in fee simple and has good right, full power and lawful authority to grant, bargain, sell and convey the above easement in the manner and form set forth above, and that the property is free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever.





## EXHIBIT A

### SPIRIT TRAIL BOULEVARD SLOPE EASEMENT

A PARCEL OF LAND BEING TRACTS F AND G, LOOKING GLASS FILING NO. 1 IN THE TOWN OF PARKER, COUNTY OF DOUGLAS AND STATE OF COLORADO, PER PLAT RECORDED \_\_\_\_\_ AT RECEPTION NO. \_\_\_\_\_ IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY, TOGETHER WITH A PORTION OF THE NORTHWEST QUARTER OF SECTION 4 AND A PORTION OF THE EAST HALF OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 66 WEST, 6TH PRINCIPAL MERIDIAN, SAID TOWN, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHWESTERLY CORNER OF SAID LOOKING GLASS FILING NO. 1;  
THENCE ALONG THE WESTERLY LINE OF SAID LOOKING GLASS FILING NO. 1, SOUTH 05°15'37"E, 61.80 FEET TO THE MOST NORTHERLY CORNER OF SAID TRACT F AND THE **POINT OF BEGINNING**, BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 30.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 05°15'37" EAST;  
THENCE ALONG THE WESTERLY AND NORTHWESTERLY RIGHT-OF-WAY OF SPIRIT TRAIL BOULEVARD AS SHOWN ON SAID PLAT OF LOOKING GLASS FILING NO. 1, THE FOLLOWING 14 COURSES:

1. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 87°34'16" AND ARC LENGTH OF 45.85 FEET;
2. TANGENT TO SAID CURVE, SOUTH 07°41'21" EAST, 173.10 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 920.00 FEET;
3. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 39°26'44" AN ARC LENGTH OF 633.38 FEET;
4. SOUTH 31°45'23" WEST, 327.29 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 760.00 FEET;
5. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°33'58" AN ARC LENGTH OF 60.57 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 30.00 FEET;
6. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 95°30'09" AN ARC LENGTH OF 50.01 FEET;
7. NON-TANGENT TO SAID CURVE, SOUTH 41°49'31" WEST, 80.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 30.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 41°49'31" WEST;
8. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 95°30'09" AN ARC LENGTH OF 50.01 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 760.00 FEET;
9. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°39'20" AN ARC LENGTH OF 313.78 FEET;
10. SOUTH 70°59'00" WEST, 586.56 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 990.00 FEET;
11. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°17'50" AN ARC LENGTH OF 523.50 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 990.43 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 43°11'42" EAST;
12. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°32'41" AN ARC LENGTH OF 113.14 FEET;
13. NON-TANGENT TO SAID CURVE, SOUTH 34°10'02" WEST, 81.32 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 30.00 FEET;
14. WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°41'15" AN ARC LENGTH OF 47.48 FEET;

THENCE DEPARTING SAID NORTHWESTERLY LINE, CONTINUING NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°28'41" AN ARC LENGTH OF 1.30 FEET;  
THENCE NON-TANGENT TO SAID CURVE, NORTH 52°17'41" WEST, 19.71 FEET;  
THENCE NORTH 35°27'35" EAST, 19.34 FEET;  
THENCE NORTH 43°30'46" EAST, 26.55 FEET;  
THENCE SOUTH 89°34'52" EAST, 5.71 FEET;  
THENCE NORTH 60°34'08" EAST, 41.95 FEET;  
THENCE NORTH 19°44'54" WEST, 6.52 FEET;  
THENCE NORTH 10°50'55" EAST, 94.37 FEET;  
THENCE NORTH 18°57'51" EAST, 28.15 FEET;  
THENCE NORTH 35°28'53" EAST, 22.71 FEET;  
THENCE NORTH 42°24'49" EAST, 55.07 FEET;  
THENCE NORTH 01°16'44" EAST, 18.98 FEET;  
THENCE NORTH 55°01'43" EAST, 67.52 FEET;  
THENCE SOUTH 78°00'42" EAST, 19.59 FEET;  
THENCE NORTH 49°49'41" EAST, 102.63 FEET;  
THENCE NORTH 51°53'34" EAST, 68.44 FEET;  
THENCE NORTH 63°44'57" EAST, 111.78 FEET;  
THENCE NORTH 63°53'20" EAST, 96.84 FEET;  
THENCE NORTH 72°55'37" EAST, 46.26 FEET;  
THENCE NORTH 76°39'34" EAST, 34.04 FEET;  
THENCE NORTH 84°01'23" EAST, 18.67 FEET;  
THENCE SOUTH 24°25'44" EAST, 12.10 FEET;  
THENCE NORTH 69°21'53" EAST, 150.80 FEET;  
THENCE NORTH 74°59'12" EAST, 104.30 FEET;  
THENCE SOUTH 88°54'09" EAST, 57.92 FEET;  
THENCE NORTH 73°49'10" EAST, 184.77 FEET;



EXHIBIT A

SPIRIT TRAIL BOULEVARD SLOPE EASEMENT

THENCE NORTH 77°23'51" EAST, 80.70 FEET;  
THENCE NORTH 54°20'52" EAST, 55.11 FEET;  
THENCE NORTH 60°16'56" EAST, 56.54 FEET;  
THENCE NORTH 69°42'55" EAST, 56.39 FEET;  
THENCE NORTH 44°49'11" EAST, 67.28 FEET;  
THENCE NORTH 25°51'31" EAST, 15.02 FEET;  
THENCE NORTH 30°41'54" EAST, 38.92 FEET;  
THENCE NORTH 56°06'15" EAST, 17.16 FEET;  
THENCE NORTH 27°21'03" EAST, 79.77 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY  
HAVING A RADIUS OF 19.89 FEET;  
THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 109°26'45" AN ARC LENGTH OF 37.99  
FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 13.00 FEET;  
THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 109°12'43" AN ARC LENGTH OF 24.78  
FEET;  
THENCE NORTH 27°35'06" EAST, 80.88 FEET;  
THENCE NORTH 16°18'45" EAST, 173.17 FEET;  
THENCE NORTH 22°17'39" EAST, 243.25 FEET;  
THENCE NORTH 19°31'26" EAST, 276.62 FEET;  
THENCE NORTH 08°45'25" WEST, 77.15 FEET;  
THENCE NORTH 09°02'17" EAST, 75.10 FEET;  
THENCE NORTH 04°14'59" EAST, 155.49 FEET;  
THENCE NORTH 09°02'01" EAST, 26.65 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY  
HAVING A RADIUS OF 15.00 FEET;  
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 66°57'08" AN ARC LENGTH OF 17.53  
FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY HAVING A RADIUS OF 35.00 FEET;  
THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 71°27'56" AN ARC LENGTH OF 43.66  
FEET;  
THENCE NORTH 84°44'23" EAST, 22.57 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 182,795 SQUARE FEET, OR 4.196 ACRES, MORE OR LESS.



ROBERT D. SNODGRASS, PLS 36580  
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR  
FOR AND ON BEHALF OF EMK CONSULTANTS, INC.



EXHIBIT A

SPIRIT TRAIL BOULEVARD SLOPE EASEMENT

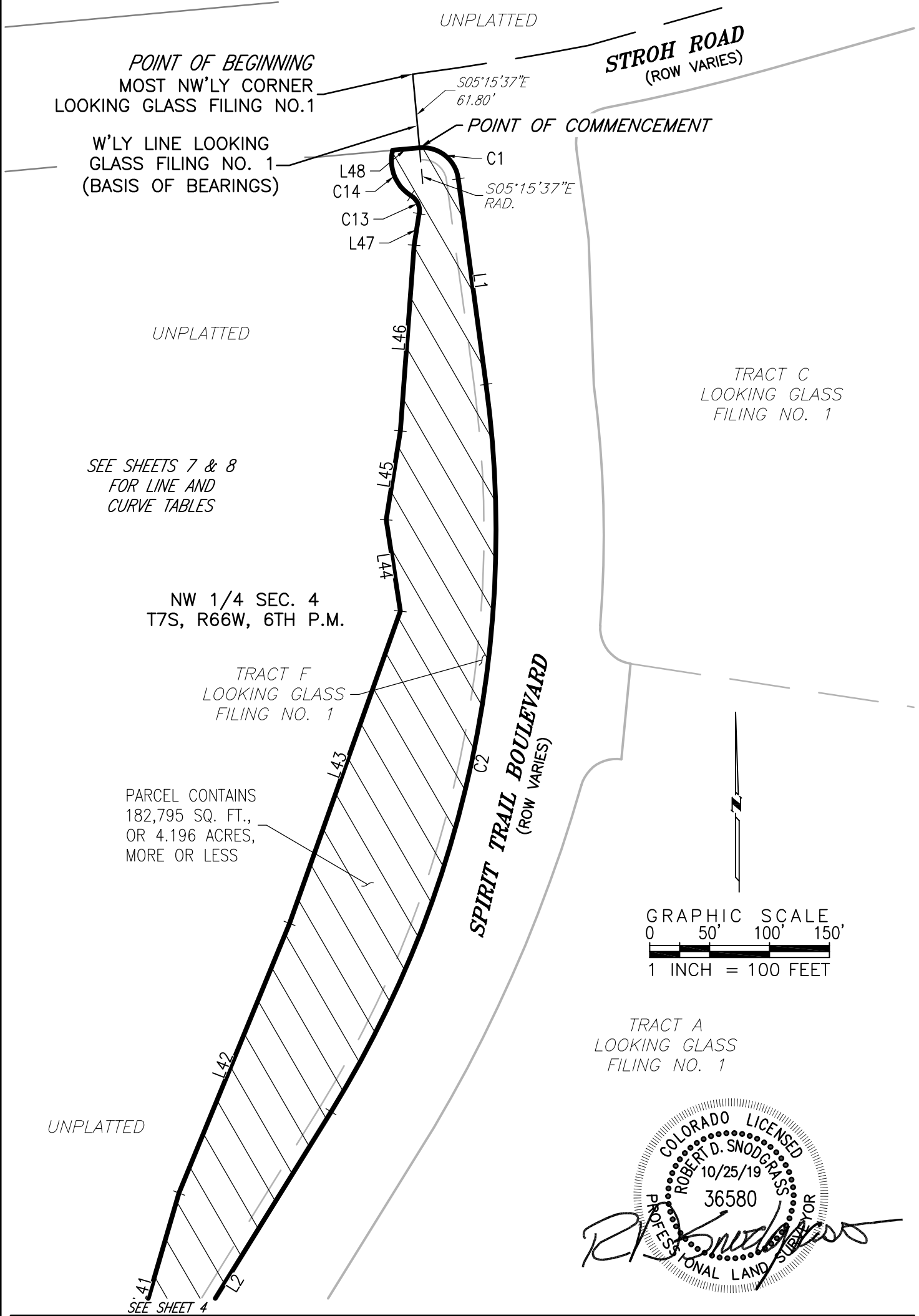






EXHIBIT A

SPIRIT TRAIL BOULEVARD SLOPE EASEMENT

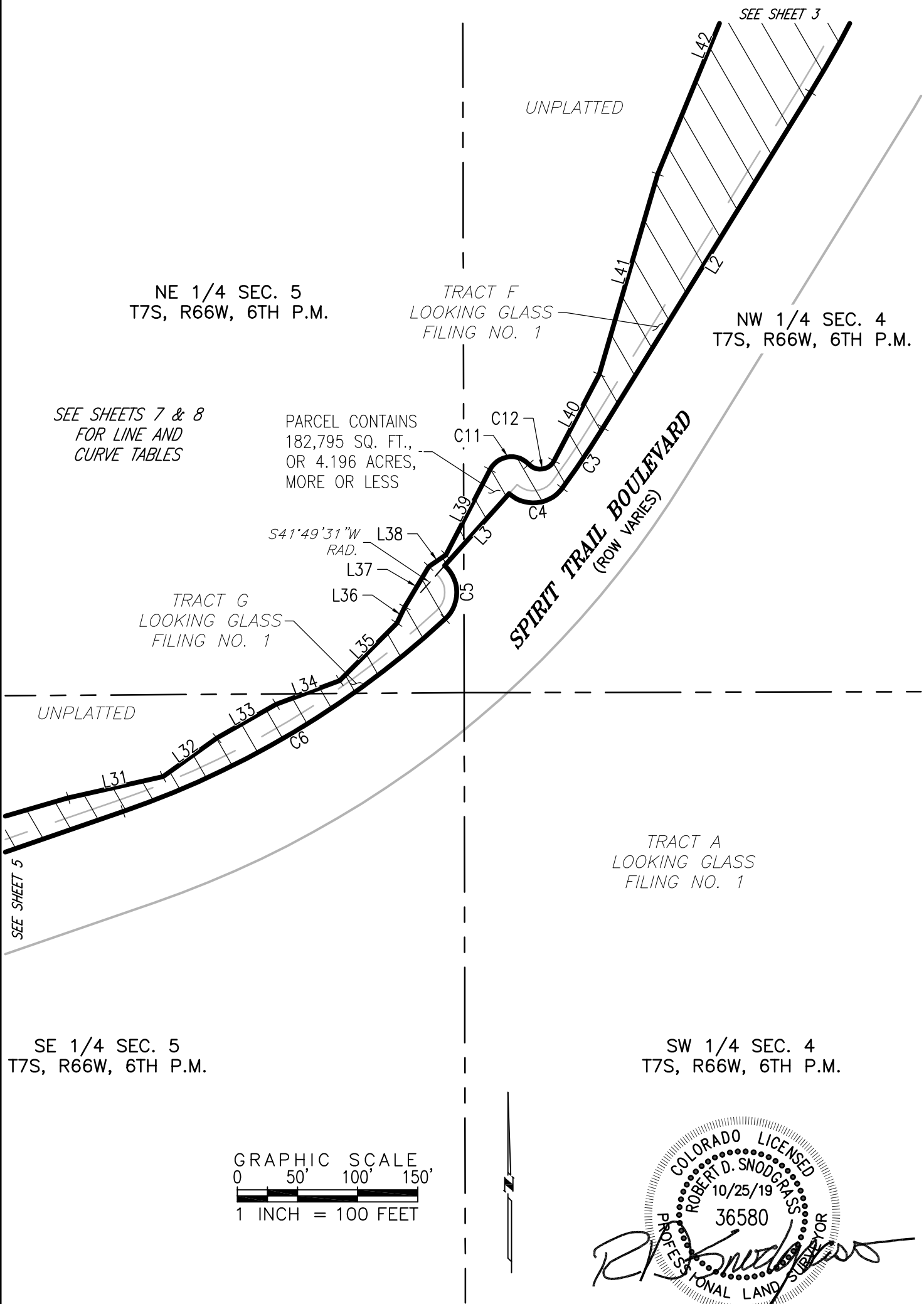


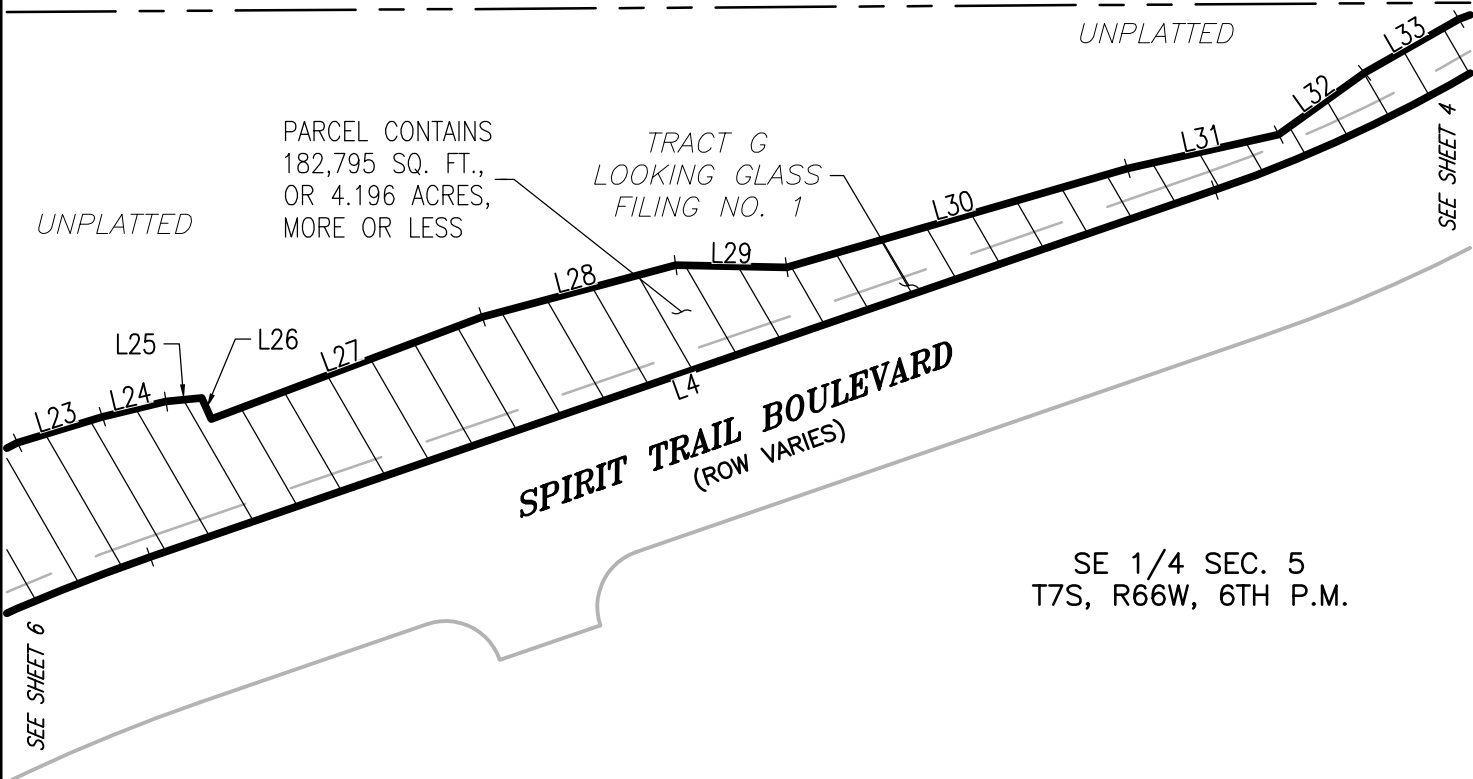


EXHIBIT A

SPIRIT TRAIL BOULEVARD SLOPE EASEMENT

NW 1/4 SEC. 5  
T7S, R66W, 6TH P.M.

S4



SE 1/4 SEC. 5  
T7S, R66W, 6TH P.M.

TRACT A  
LOOKING GLASS  
FILING NO. 1

SEE SHEETS 7 & 8  
FOR LINE AND  
CURVE TABLES

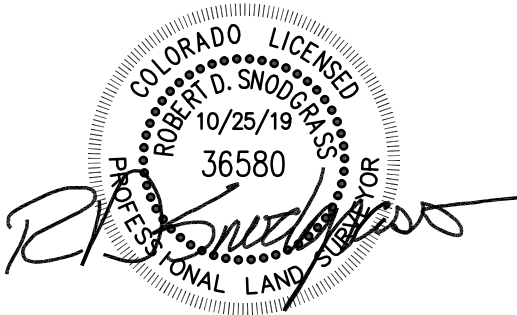
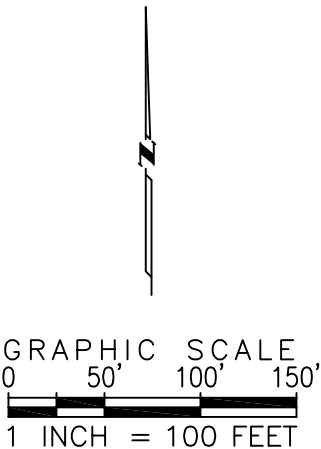
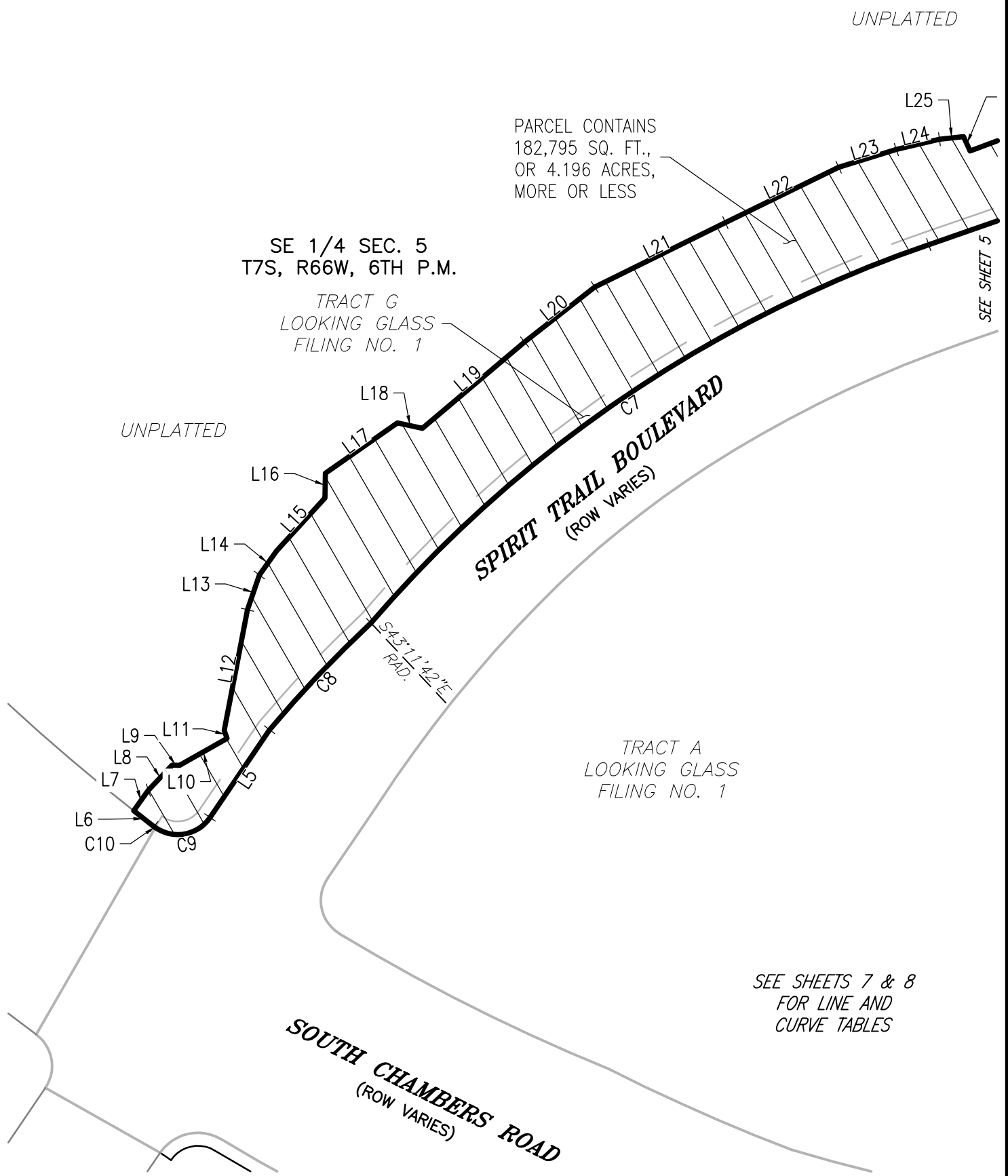




EXHIBIT A

SPIRIT TRAIL BOULEVARD SLOPE EASEMENT



COLORADO LICENSED  
ROBERT D. SNODGRASS  
10/25/19  
36580  
PROFESSIONAL LAND SURVEYOR

*Robert D. Snodgrass*

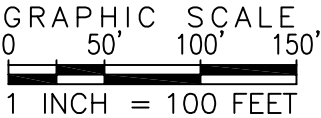




EXHIBIT A

SPIRIT TRAIL BOULEVARD SLOPE EASEMENT

| LINE TABLE |             |         |
|------------|-------------|---------|
| LINE #     | DIRECTION   | LENGTH  |
| L1         | S7°41'21"E  | 173.10' |
| L2         | S31°45'23"W | 327.29' |
| L3         | S41°49'31"W | 80.00'  |
| L4         | S70°59'00"W | 586.56' |
| L5         | S34°10'02"W | 81.32'  |
| L6         | N52°17'41"W | 19.71'  |
| L7         | N35°27'35"E | 19.34'  |
| L8         | N43°30'46"E | 26.55'  |
| L9         | S89°34'52"E | 5.71'   |
| L10        | N60°34'08"E | 41.95'  |
| L11        | N19°44'54"W | 6.52'   |
| L12        | N10°50'55"E | 94.37'  |
| L13        | N18°57'51"E | 28.15'  |
| L14        | N35°28'53"E | 22.71'  |
| L15        | N42°24'49"E | 55.07'  |
| L16        | N1°16'44"E  | 18.98'  |
| L17        | N55°01'43"E | 67.52'  |
| L18        | S78°00'42"E | 19.59'  |
| L19        | N49°49'41"E | 102.63' |
| L20        | N51°53'34"E | 68.44'  |
| L21        | N63°44'57"E | 111.78' |
| L22        | N63°53'20"E | 96.84'  |
| L23        | N72°55'37"E | 46.26'  |
| L24        | N76°39'34"E | 34.04'  |
| L25        | N84°01'23"E | 18.67'  |

| LINE TABLE |             |         |
|------------|-------------|---------|
| LINE #     | DIRECTION   | LENGTH  |
| L26        | S24°25'44"E | 12.10'  |
| L27        | N69°21'53"E | 150.80' |
| L28        | N74°59'12"E | 104.30' |
| L29        | S88°54'09"E | 57.92'  |
| L30        | N73°49'10"E | 184.77' |
| L31        | N77°23'51"E | 80.70'  |
| L32        | N54°20'52"E | 55.11'  |
| L33        | N60°16'56"E | 56.54'  |
| L34        | N69°42'55"E | 56.39'  |
| L35        | N44°49'11"E | 67.28'  |
| L36        | N25°51'31"E | 15.02'  |
| L37        | N30°41'54"E | 38.92'  |
| L38        | N56°06'15"E | 17.16'  |
| L39        | N27°21'03"E | 79.77'  |
| L40        | N27°35'06"E | 80.88'  |
| L41        | N16°18'45"E | 173.17' |
| L42        | N22°17'39"E | 243.25' |
| L43        | N19°31'26"E | 276.62' |
| L44        | N8°45'25"W  | 77.15'  |
| L45        | N9°02'17"E  | 75.10'  |
| L46        | N4°14'59"E  | 155.49' |
| L47        | N9°02'01"E  | 26.65'  |
| L48        | N84°44'23"E | 22.57'  |

COLORADO LICENSED  
ROBERT D. SNODGRASS  
10/25/19  
36580  
PROFESSIONAL LAND SURVEYOR



EXHIBIT A

SPIRIT TRAIL BOULEVARD SLOPE EASEMENT

| CURVE TABLE |        |            |        |                 |        |
|-------------|--------|------------|--------|-----------------|--------|
| CURVE #     | RADIUS | DELTA      | LENGTH | CHORD DIRECTION | LENGTH |
| C1          | 30.00  | 87°34'16"  | 45.85  | S51°28'29"E     | 41.52  |
| C2          | 920.00 | 39°26'44"  | 633.38 | S12°02'01"W     | 620.95 |
| C3          | 760.00 | 4°33'58"   | 60.57  | S34°02'22"W     | 60.55  |
| C4          | 30.00  | 95°30'09"  | 50.01  | S84°04'26"W     | 44.41  |
| C5          | 30.00  | 95°30'09"  | 50.01  | S0°25'25"E      | 44.41  |
| C6          | 760.00 | 23°39'20"  | 313.78 | S59°09'20"W     | 311.55 |
| C7          | 990.00 | 30°17'50"  | 523.50 | S55°50'05"W     | 517.42 |
| C8          | 990.43 | 6°32'41"   | 113.14 | S43°31'58"W     | 113.07 |
| C9          | 30.00  | 90°41'15"  | 47.48  | S79°30'39"W     | 42.68  |
| C10         | 30.00  | 2°28'41"   | 1.30   | N53°54'23"W     | 1.30   |
| C11         | 19.89  | 109°26'45" | 37.99  | N82°04'26"E     | 32.47  |
| C12         | 13.00  | 109°12'43" | 24.78  | N82°11'27"E     | 21.19  |
| C13         | 15.00  | 66°57'08"  | 17.53  | N24°26'33"W     | 16.55  |
| C14         | 35.00  | 71°27'56"  | 43.66  | N22°11'08"W     | 40.88  |

COLORADO LICENSED  
ROBERT D. SNODGRASS  
10/25/19  
36580  
PROFESSIONAL LAND SURVEYOR



## Request for Town Council Action

**Date:** August 3, 2020

**Submitted By:** Tyler Sandt, Development Review Engineer

**Reviewed By:** Michelle Kivela, Town Administrator

**Title:** **RESOLUTION NO. 20-035**  
**A Resolution Accepting the Conveyance of a Drainage Easement from Portercare Adventist Health System for Three Parcels of Land in Lot 1, Crown Point F. #1, Amendment 28**

**Department:** **Engineering/Public Works, Tyler Sandt**

### EXECUTIVE SUMMARY

---

This item accompanies a resolution accepting the conveyance of a drainage easement covering drainage improvements proposed with the site plan for a portion of Lot 1, Crown Point Filing No. 1, 28th Amendment.

### STAFF RECOMMENDATION

---

Approve

### BACKGROUND/DISCUSSION

---

The Town's stormwater criterion requires that drainage easements be dedicated over all public storm drainage facilities located on private property. The drainage easements are necessary to ensure the long-term operation and maintenance of drainage infrastructure to minimize flooding and protect the quality of stormwater runoff.

The Engineering Department has reviewed and approved the construction drawings for the drainage facilities associated with an approved site plan for a portion of Lot 1, Crown Point Filing No. 1, 28th Amendment. Since the drainage facilities are being constructed as part of a site plan process, and not a plat, the easements need to be dedicated by separate instrument.

### FINANCIAL IMPACT

---

As the drainage improvements proposed with the easement will be the maintenance responsibility of the property owner, there is no financial impact to the Town.

### STRATEGIC GOAL(S)

---



PROMOTE A SAFE AND  
HEALTHY COMMUNITY

## **ATTACHMENTS**

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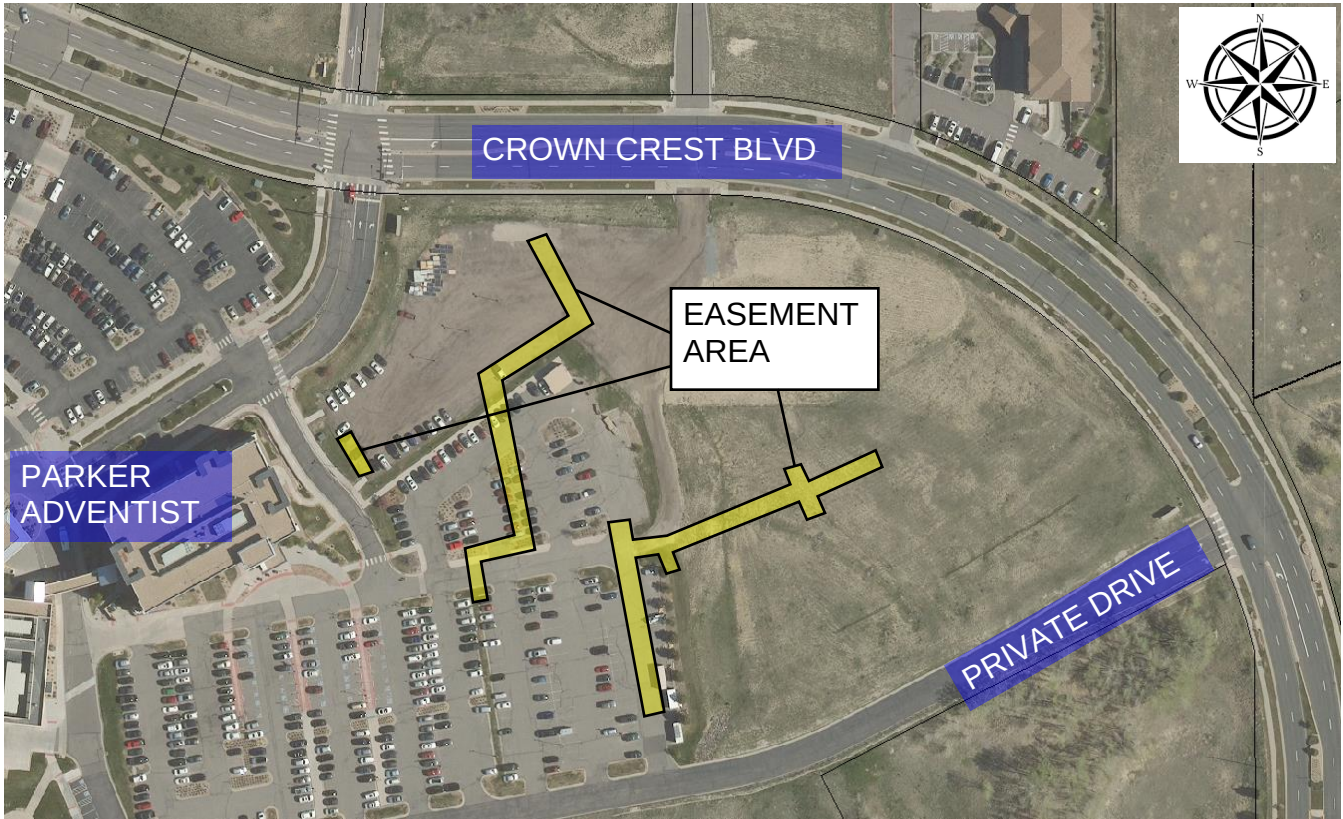
1. Vicinity Map
2. Resolution No- 20-035

## **RECOMMENDED MOTION**

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I move to approve Resolution No. 20-035, as part of the consent agenda.

Vicinity Map





RESOLUTION NO. 20-035, Series of 2020

**TITLE: A RESOLUTION ACCEPTING THE CONVEYANCE OF A DRAINAGE EASEMENT FROM PORTERCARE ADVENTIST HEALTH SYSTEM, FOR THREE PARCELS OF LAND IN LOT 1, CROWN POINT F#1, AMENDMENT 28**

WHEREAS, the Town Council of the Town of Parker desires to accept the grant of an easement for the purpose of the maintenance of a drainage pipe and appurtenant drainage facilities;

WHEREAS, Section 1.06.010 of the Town of Parker Municipal Code requires the acceptance of a conveyance of real property to the Town be effectuated by resolution; and

WHEREAS, the Town Council of the Town of Parker desires to accept the grant of an easement specified hereinbelow to the Town by this Resolution.

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 accepts the conveyance of certain property interests for the purpose of the maintenance of a drainage pipe and appurtenant drainage facilities from Portercare Adventist Health System, for three parcels of land in Lot 1, Crown Point F#1, Amendment 28, as provided in the Drainage Easement Agreement attached as **Exhibit 1** and incorporated by this reference, and authorizes the Mayor of the Town to enter into the Agreement on behalf of the Town.

RESOLVED AND PASSED this \_\_\_\_ day of \_\_\_\_\_, 2020.

TOWN OF PARKER, COLORADO

\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk

## EXHIBIT 1

### **DRAINAGE EASEMENT AGREEMENT**

THIS DRAINAGE EASEMENT AGREEMENT (the "Easement Agreement") is dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by Portercare Adventist Health System having an address at 2525 South Downing Street, Denver, Colorado 80201("Grantor"), and the Town of Parker, a Colorado home rule municipality, having an address of 20120 East Mainstreet, Parker, Colorado 80138 ("Grantee").

WHEREAS, Grantee desires to acquire an easement for the purpose of the maintenance of a drainage pipe and appurtenant drainage facilities on and through the property more particularly described and depicted in **Exhibit A** ("Easement Property"), attached hereto and incorporated herein by this reference; and

WHEREAS, Grantor is willing to grant an easement to Grantee for the aforesaid purposes on the terms and conditions set forth hereinbelow.

NOW, THEREFORE, for good and valuable consideration by Grantee to Grantor, the covenants of Grantee herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, and for and in consideration of the easement rights herein granted and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantee does hereby covenant and agree as follows:

1. Grant of Easement. Grantor does hereby grant and convey unto Grantee, its successors, assigns, lessees, licensees and agents, an easement under and through the Easement Property, for the purpose of providing the maintenance of a drainage pipe and appurtenant drainage facilities. Grantee shall also have the specific rights of ingress and egress, consistent with this Easement Agreement, for the construction, reconstruction, operation and maintenance of a drainage pipe and appurtenant drainage facilities, consistent with the easement provided herein. Subject to the other terms and conditions of this Easement Agreement, Grantee shall also have the right to remove impediments to operation and maintenance of the Easement Property such as trees, asphalt and sidewalks. Grantee further agrees all construction, reconstruction, operation, maintenance, removal and any other activities which disturb the Easement Property will be coordinated with Grantor so as to minimize any disruption to Grantor's property.

2. Unencumbered Title. Grantor warrants that the Easement Property granted herein is granted free and clear of all liens and encumbrances.

3. Operation and Maintenance.

a. The operation and maintenance of the drainage facilities described herein and located within the Easement Property shall be the responsibility of the Grantor; provided, however, that Grantee shall have the right to maintain the Easement Property in the event Grantee, in its sole discretion, determines to enter the Easement Property for the operation and/or maintenance of the Easement Property as set forth in subsection b. hereinbelow. The Grantor acknowledges and agrees that the Grantee has the right to enter the Easement Property to maintain and operate the

drainage facilities covered by Chapter 4.08 of the Parker Municipal Code or to maintain and operate the drainage facilities in the manner described herein.

b. If Grantor fails to adequately maintain the drainage facilities located within the Easement Property, and within fourteen (14) days after the date of written notice from Grantee, fails to correct the maintenance problem, or fails to begin to clean, cure or correct such problem within fourteen (14) days if such problem cannot be reasonably cleaned, cured or corrected within fourteen (14) days, and fails to diligently prosecute such cleaning, cure or correction to completion, then Grantee may do so as provided herein. Notwithstanding the foregoing, Grantee may, in the event of an emergency, as determined by Grantee in its sole discretion, clean, cure or correct any damage caused by Grantor's failure to adequately maintain the drainage facilities located within the Easement Property. The Grantor shall reimburse the Grantee for the cost of such maintenance to the extent that (i) the drainage facilities and/or the type of maintenance performed by Grantee are not covered by Chapter 4.08 of the Parker Municipal Code, as amended, or (ii) if the drainage facilities and/or the type of maintenance performed by the Grantee is covered by Chapter 4.08 of the Parker Municipal Code, as amended, and the Grantee determines in its sole discretion that there are not sufficient funds available for such maintenance. If Grantor fails to reimburse Grantee for the cost of such maintenance, within thirty (30) days after receipt of an invoice from Grantee describing the corrective or maintenance action taken, the unpaid amount shall constitute a lien on the Easement Property until paid in full, with priority over all other liens, except general tax liens, which liens shall be certified to the County Treasurer and collected in the same manner as other taxes are collected. Grantor further agrees that Grantee may also pursue any and all other remedies available at law or in equity.

4. Grantor Defined. The word "Grantor" as used herein, whenever the context requires or permits, shall include the heirs, personal representatives, beneficiaries, successors, grantees and assigns of the owners of the land through which the easement runs, or the respective owners from time to time of portions thereof. The burdens and benefits of this Easement Agreement shall be deemed covenants running with said easements and said land. Notwithstanding any contrary provision in this Easement Agreement, however, any obligation under this Easement Agreement which is to be performed by the owner of any land which is burdened by this Easement Agreement shall be enforceable only against the then owner of such land, and not against any such owner's predecessors in interest.

5. Covenants of Grantee. Grantee hereby represents, covenants and warrants in favor of Grantor, and its successors and assigns, as follows:

a. Grantee shall protect the Easement Property, and the adjacent lands of Grantor over which Grantee has rights of ingress and egress, from damage caused, in whole or in part, by acts or omissions of Grantee, its employees, agents, contractors, subcontractors, assigns, lessees, licensees and agents.

b. Grantee shall not cause or permit to be caused by any of its employees, agents, contractors, subcontractors, successors, assigns, lessees or licensees, any hazardous substances, as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), pollutants or contaminants, as defined by CERCLA, or hazardous waste, as defined by the Resource, Conservation and Recovery Act ("RCRA"), including, but not limited to, asbestos and/or urea formaldehyde, or any pollutants or toxic pollutants as defined by the Clean Water Act,

and any amendments thereto, to be dumped, spilled, released, permanently stored or deposited on, over or beneath the Easement Property or any other lands owned by Grantor.

6. Retained Rights. Grantor shall have all rights to the Easement Property not granted hereby.

7. Miscellaneous.

a. Except as otherwise expressly provided herein, all provisions herein contained, including the benefits, burdens and covenants, are intended to run with the land and shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto.

b. This easement constitutes all of the agreements, understandings and promises between the parties hereto, with respect to the subject matter hereof.

c. This easement shall be of no force and effect until this easement is duly and validly executed by all parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Easement Agreement as of the date and year first above written.

**GRANTOR: PORTERCARE ADVENTIST  
HEALTH SYSTEM**

\_\_\_\_\_  
Jonathan Fisher, Chief Financial Officer

STATE OF COLORADO                    )  
                                                          ) ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by Jonathan Fisher, as CFO of Portercare Adventist Health System.

My commission expires: \_\_\_\_\_

(S E A L)

\_\_\_\_\_  
Notary Public

**GRANTEE: TOWN OF PARKER**

\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk

**EXHIBIT A**

CROWN POINT F#1, 28<sup>TH</sup> AMENDMENT, COUNTY OF DOUGLAS, STATE OF  
COLORADO

# EXHIBIT A

PAGE 1 OF 5

THREE PARCELS OF LAND IN LOT 1, CROWN POINT F#1, AMENDMENT 28, AS RECORDED IN THE DOUGLAS COUNTY RECORDS AT RECEPTION NUMBER 2018049635 AND LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

## PARCEL "A";

BEGINNING AT A CORNER ON THE EASTERLY LINE OF THAT NON-EXCLUSIVE DRAINAGE AND UTILITY EASEMENT SHOWN AND DEDICATED BY THE PLAT OF CROWN POINT F#1, 17TH AMENDMENT RECORDED AT RECEPTION NUMBER 2009001423 OF THE DOUGLAS COUNTY RECORDS FROM WHENCE THE NORTH QUARTER CORNER OF SAID SECTION 10 BEARS N 38°05'10" E, A DISTANCE OF 1,495.60 FEET;

THENCE ALONG A WESTERLY LINE OF SAID EASEMENT, 71.31' FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 230.14 FEET AND A CENTRAL ANGLE OF 17°45'10", THE CHORD OF WHICH BEARS N 33°31'43" W A DISTANCE OF 71.02 FEET;

THENCE N 38°10'57" E, A DISTANCE OF 14.20 FEET;  
THENCE S 29°58'33" E, A DISTANCE OF 74.78 FEET;  
THENCE S 51°02'33" W, A DISTANCE OF 8.89 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 676 SQUARE FEET OR 0.016 ACRES, MORE OR LESS.

## PARCEL "B";

BEGINNING AT A CORNER IN A NORTHERLY LINE OF THAT DRAINAGE EASEMENT DEDICATED BY RECEPTION NUMBER 2008040612 IN THE DOUGLAS COUNTY RECORDS FROM WHENCE THE NORTH QUARTER CORNER OF SAID SECTION 10 BEARS N 34°01'00" E, A DISTANCE OF 1,480.98 FEET;

THENCE ALONG SAID NORTHERLY LINE, S 80°41'08" W, A DISTANCE OF 9.04 FEET;  
THENCE ALONG SAID NORTHERLY LINE, N 88°19'07" W, A DISTANCE OF 16.12 FEET;  
THENCE N 06°02'56" W, A DISTANCE OF 47.34 FEET;  
THENCE N 80°26'02" E, A DISTANCE OF 48.48 FEET;  
THENCE N 09°18'52" W, A DISTANCE OF 119.47 FEET;  
THENCE N 54°38'48" E, A DISTANCE OF 109.37 FEET;  
THENCE N 64°05'46" E, A DISTANCE OF 6.53 FEET;  
THENCE N 25°54'14" W, A DISTANCE OF 103.08 FEET;  
THENCE N 64°05'46" E, A DISTANCE OF 25.00 FEET;  
THENCE S 25°54'14" E, A DISTANCE OF 128.08 FEET;  
THENCE S 64°05'46" W, A DISTANCE OF 29.47 FEET;  
THENCE S 54°38'48" W, A DISTANCE OF 91.69 FEET;  
THENCE S 09°18'52" E, A DISTANCE OF 128.75 FEET;  
THENCE S 80°26'02" W, A DISTANCE OF 49.86 FEET;  
THENCE S 06°02'56" E, A DISTANCE OF 25.48 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 11,109 SQUARE FEET OR 0.255 ACRES, MORE OR LESS.



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# EXHIBIT A

PAGE 2 OF 5

PARCEL "C";

BEGINNING AT A POINT IN A NORTHERLY LINE OF THAT DRAINAGE EASEMENT DEDICATED BY RECEPTION NUMBER 2008040612 IN THE DOUGLAS COUNTY RECORDS WHENCE THE NORTH QUARTER CORNER OF SAID SECTION 10 BEARS N 25°04'31" E, A DISTANCE OF 1505.21 FEET AND A CORNER OF SAID EASEMENT BEARS N 69°52'40" E, A DISTANCE OF 78.64 FEET;

THENCE ALONG SAID NORTHERLY LINE, S 69°52'40" W, A DISTANCE OF 25.45 FEET;

THENCE N 09°18'12" W, A DISTANCE OF 179.51 FEET;

THENCE N 06°36'51" E, A DISTANCE OF 18.32 FEET;

THENCE N 09°40'41" W, A DISTANCE OF 33.59 FEET;

THENCE N 80°19'19" E, A DISTANCE OF 25.00 FEET;

THENCE S 09°40'41" E, A DISTANCE OF 36.68 FEET;

THENCE N 80°41'08" E, A DISTANCE OF 18.16 FEET;

THENCE N 64°06'52" E, A DISTANCE OF 167.21 FEET;

THENCE N 25°54'14" W, A DISTANCE OF 21.46 FEET;

THENCE N 64°05'46" E, A DISTANCE OF 25.00 FEET;

THENCE S 25°54'14" E, A DISTANCE OF 21.47 FEET;

THENCE N 64°06'52" E, A DISTANCE OF 119.20 FEET;

THENCE S 25°53'08" E, A DISTANCE OF 25.00 FEET;

THENCE S 64°06'52" W, A DISTANCE OF 119.19 FEET;

THENCE S 25°54'14" E, A DISTANCE OF 21.53 FEET;

THENCE S 64°05'46" W, A DISTANCE OF 25.00 FEET;

THENCE N 25°54'14" W, A DISTANCE OF 21.54 FEET;

THENCE S 64°06'52" W, A DISTANCE OF 158.45 FEET;

THENCE S 16°25'17" E, A DISTANCE OF 26.28 FEET;

THENCE S 73°34'43" W, A DISTANCE OF 25.00 FEET;

THENCE N 16°25'17" W, A DISTANCE OF 21.87 FEET;

THENCE S 80°41'08" W, A DISTANCE OF 14.49 FEET;

THENCE S 09°18'12" E, A DISTANCE OF 160.49 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 15,897 SQUARE FEET OR 0.365 ACRES, MORE OR LESS.

BASIS OF BEARINGS: THE SOUTH LINE OF FINAL PLAT CROWN POINT, MONUMENTED ON THE EAST BY A 1-1/2" ALUMINUM CAP MARKED "MSM LS 2568" AND MONUMENTED ON THE WEST BY A 1-1/2" ALUMINUM CAP MARKED "FARNSWORTH PLS 28668", PER SAID PLAT BEAR S 88°47'24" W.

I HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED UNDER MY DIRECT SUPERVISION.

ALAN WARNER, PLS 28668  
FOR AND ON BEHALF OF  
FARNSWORTH GROUP, INC.



| awarner | J:\2016\0160163.00 - Parker Adventist Hospital\Survey\04\_Drawings\Legal Descriptions\ESMT 014.dwg | 10/31/2019 1:42 PM |



**Farnsworth**  
GROUP

5613 DTC PARKWAY, SUITE 1100  
GREENWOOD VILLAGE, COLORADO 80111  
(303) 692-8838 / info@f-w.com

DRAINAGE & UTILITY EASEMENT

CROWN POINT F#1, AMENDMENT 28  
NW. 1/4, SEC. 10, T. 6. S., R. 66 W., 6TH PM  
DOUGLAS COUNTY, COLORADO

Project No: 0160163.06  
Drawn by: JAN  
Approved: AGW  
Date: 10/30/19  
Revised:

2 OF 5

# ILLUSTRATION FOR

## EXHIBIT A

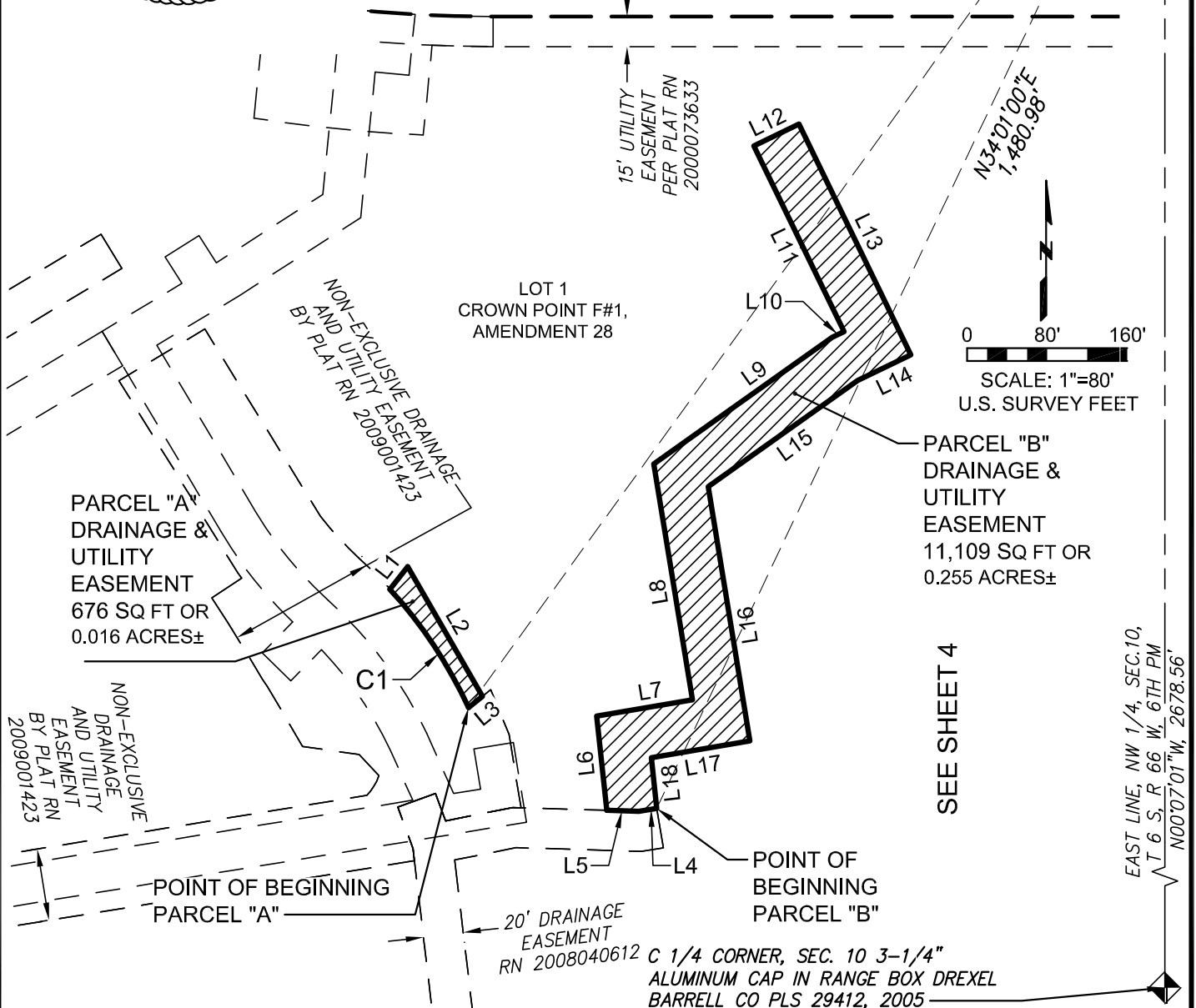
PAGE 3 OF 5

N 1/4 CORNER, SEC. 10  
3-1/4" ALUMINUM CAP IN  
RANGE BOX PLS 9329, 2005



### NOTES:

1. SEE SHEET 5 FOR LINE AND CURVE TAG TABLES.
2. SEE PLAT CORRECTION CERTIFICATE RECORDED AT RECEPTION NUMBER 2018066809 FOR CORRECTION OF PLAT NAME OF "CROWN POINT FILING #1 AMENDMENT 28".



THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY.  
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

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5613 DTC PARKWAY, SUITE 1100  
GREENWOOD VILLAGE, COLORADO 80111  
(303) 692-8838 / info@f-w.com

### DRAINAGE & UTILITY EASEMENT

CROWN POINT F#1, AMENDMENT 28  
NW. 1/4, SEC. 10, T. 6 S., R. 66 W., 6TH PM  
DOUGLAS COUNTY, COLORADO

Project No: 0160163.06  
Drawn by: JAN  
Approved: AGW  
Date: 10/30/19  
Revised:

3 OF 5







# ILLUSTRATION FOR

## EXHIBIT A

PAGE 5 OF 5

| LINE TABLE |             |         |
|------------|-------------|---------|
| LINE       | BEARING     | LENGTH  |
| L1         | N38°10'57"E | 14.20'  |
| L2         | S29°58'33"E | 74.78'  |
| L3         | S51°02'33"W | 8.89'   |
| L4         | S80°41'08"W | 9.04'   |
| L5         | N88°19'07"W | 16.12'  |
| L6         | N06°02'56"W | 47.34'  |
| L7         | N80°26'02"E | 48.48'  |
| L8         | N09°18'52"W | 119.47' |
| L9         | N54°38'48"E | 109.37' |
| L10        | N64°05'46"E | 6.53'   |
| L11        | N25°54'14"W | 103.08' |
| L12        | N64°05'46"E | 25.00'  |
| L13        | S25°54'14"E | 128.08' |
| L14        | S64°05'46"W | 29.47'  |

| LINE TABLE |             |         |
|------------|-------------|---------|
| LINE       | BEARING     | LENGTH  |
| L15        | S54°38'48"W | 91.69'  |
| L16        | S09°18'52"E | 128.75' |
| L17        | S80°26'02"W | 49.86'  |
| L18        | S06°02'56"E | 25.48'  |
| L19        | S69°52'40"W | 25.45'  |
| L20        | N09°18'12"W | 179.51' |
| L21        | N06°36'51"E | 18.32'  |
| L22        | N09°40'41"W | 33.59'  |
| L23        | N80°19'19"E | 25.00'  |
| L24        | S09°40'41"E | 36.68'  |
| L25        | N80°41'08"E | 18.16'  |
| L26        | N64°06'52"E | 167.21' |
| L27        | N25°54'14"W | 21.46'  |
| L28        | N64°05'46"E | 25.00'  |

| LINE TABLE |             |         |
|------------|-------------|---------|
| LINE       | BEARING     | LENGTH  |
| L29        | S25°54'14"E | 21.47'  |
| L30        | N64°06'52"E | 119.20' |
| L31        | S25°53'08"E | 25.00'  |
| L32        | S64°06'52"W | 119.19' |
| L33        | S25°54'14"E | 21.53'  |
| L34        | S64°05'46"W | 25.00'  |
| L35        | N25°54'14"W | 21.54'  |
| L36        | S64°06'52"W | 158.45' |
| L37        | S16°25'17"E | 26.28'  |
| L38        | S73°34'43"W | 25.00'  |
| L39        | N16°25'17"W | 21.87'  |
| L40        | S80°41'08"W | 14.49'  |
| L41        | S09°18'12"E | 160.49' |

| CURVE TABLE |        |         |           |               |              |
|-------------|--------|---------|-----------|---------------|--------------|
| CURVE       | LENGTH | RADIUS  | DELTA     | CHORD BEARING | CHORD LENGTH |
| C1          | 71.31' | 230.14' | 17°45'10" | N33°31'43"W   | 71.02        |

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY.  
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

| awarner | J:\2016\0160163.00 - Parker Adventist Hospital\Survey\04\_Drawings\Legal Descriptions\ESMT 014.dwg | 10/31/2019 1:42 PM |



**Farnsworth**  
GROUP

5613 DTC PARKWAY, SUITE 1100  
GREENWOOD VILLAGE, COLORADO 80111  
(303) 692-8838 / info@f-w.com

### DRAINAGE & UTILITY EASEMENT

CROWN POINT F#1, AMENDMENT 28  
NW. 1/4, SEC. 10, T. 6. S., R. 66 W., 6TH PM  
DOUGLAS COUNTY, COLORADO

Project No: 0160163.06  
Drawn by: JAN  
Approved: AGW  
Date: 10/30/19  
Revised:

5 OF 5



## Request for Town Council Action

**Date:** August 3, 2020

**Submitted By:** Tamara Dixon, Human Resources Director

**Reviewed By:** Michelle Kivela, Town Administrator

**Title:** **RESOLUTION NO. 20-036**  
**A Resolution to Approve the Amended and Restated**  
**Employment Agreement for the Town Administrator**

**Department:** Town Council

### EXECUTIVE SUMMARY

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The Town Administrator's Amended and Restated Employment Agreement and compensation.

### STAFF RECOMMENDATION

---

Approve

### BACKGROUND/DISCUSSION

---

The Town Council participated in the performance evaluation for the Town Administrator. The attached resolution provides for a 4.05% merit increase.

Additionally, the law firm of Davis, Graham & Stubbs reviewed the Town Administrator's employment agreement and recommended three (3) categories of changes concerning insurance benefits, retirement plan and the involuntary termination provisions of the Agreement. The recommendations of Davis, Graham & Stubbs are included in the Town Administrator's employment agreement, including the reallocation of the Town's payment of the employee portion of the health and related insurance to the Town Administrator's base salary.

### FINANCIAL IMPACT

---

The merit increase was included in the 2020 budget process.

### STRATEGIC GOAL(S)

---



**FOSTER COMMUNITY  
CREATIVITY AND  
ENGAGEMENT**



**INNOVATE WITH  
COLLABORATIVE  
GOVERNANCE**



**ENHANCE ECONOMIC  
VITALITY**

### ATTACHMENTS

---

1. Resolution No. 20-036

**RECOMMENDED MOTION**

---

I move to approved Resolution No. 20-036, as part of the consent agenda.

RESOLUTION NO. 20-036, Series of 2020

**TITLE: A RESOLUTION TO APPROVE THE AMENDED AND RESTATED  
EMPLOYMENT AGREEMENT FOR THE TOWN ADMINISTRATOR**

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 approves the Amended  
and Restated Employment Agreement for the Town Administrator, which is attached hereto as  
**Exhibit A** and incorporated herein.

RESOLVED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

TOWN OF PARKER, COLORADO

\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk

## **EXHIBIT A**

### **AMENDED AND RESTATED EMPLOYMENT AGREEMENT**

THIS AMENDED AND RESTATED EMPLOYMENT AGREEMENT ("Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the Town Council of the Town of Parker, State of Colorado, a home rule municipal corporation, (the "Town"), and Michelle Kivela (the "Town Administrator"), both of whom understand as follows:

#### **RECITALS:**

A. The Town and the Town Administrator are parties to an Employment Agreement entered into on September 18, 2017, as such has been amended by a First Amendment to Employment Agreement entered into on October 15, 2018, and a Second Amendment to Employment Agreement entered into October 21, 2019 (collectively, the "Employment Agreement").

B. The Town Council desires to continue to provide certain benefits, establish certain conditions of employment, and set working conditions for the Town Administrator.

C. The Town Council continues to desire to retain the services of the Town Administrator, establish policy which will act as a deterrent against malfeasance or dishonesty for personal gain on the part of the Town Administrator, and provide a just means for terminating the Town Administrator's services at such time as she may be unable to fully discharge her duties, or when the Town may desire to otherwise terminate her employment for any reason.

D. The Town and the Town Administrator desire to amend and restate the Employment Agreement effective September 1, 2020.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

1. Duties. The Town agrees to employ Michelle Kivela, as Town Administrator of Parker, Colorado, to perform the functions and duties specified in the Home Rule Charter and the ordinances of the Town, as authorized by the Town Council, and to perform such other legally permissible and proper duties and functions as the Town Council shall from time to time assign. This shall be a full-time occupation. The Town Administrator shall not engage in any teaching, consulting, or other non-Town connected business, unless approved by Town Council.

2. Term.

a. This Agreement shall terminate upon the termination of the Town Administrator's employment by the Town. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Town Council to terminate the services of the Town Administrator at any time, subject to the provisions set forth in Paragraph 4 of this Agreement.

b. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Town Administrator to resign at any time from her position with the Town, subject only to the provision set forth in Paragraph 4. c., of this Agreement.

3. Salary. The annual base salary to be paid to the Town Administrator shall be Two Hundred Twenty-Six Thousand Six Hundred Ten Dollars and Sixteen Cents (\$226,610.16), which shall be paid periodically in the same manner as other employees of the Town are paid.

In addition to such base salary, the Town Administrator shall receive such other benefits as follows:

a. Sick leave as provided by the Town Personnel Manual.

b. Health, dental, vision, and other insurance to the extent provided under the Town of Parker employee benefit package.

c. Life, accidental death, long-term disability, and dismemberment insurance to the extent provided under the Town of Parker employee benefit package.

d. Vacation leave at the standard accrual rate set forth in the Town Personnel Manual, plus eighty (80) additional hours, annually, of vacation leave. Upon termination of this Agreement, the Town Administrator will be paid the unused portion of her accumulated vacation leave in an amount not to exceed 256 hours. The Town Administrator may not carry accumulated vacation leave in excess of 256 hours past December 31<sup>st</sup> of each year.

e. The Town shall contribute on behalf of the Town Administrator or pay to the Town Administrator a total of twenty-five percent (25%) of the Town Administrator's paid base salary (the "Retirement Allocation"), allocated as follows.

i. With respect to the 2020 plan year of a retirement plan described in Section 401(a) of the Internal Revenue Code of 1986, as amended (the "Code") and maintained by the Town in which the Town Administrator participates (the "401(a) Plan") and the plan described in Code Section 457(b) maintained by the Town in which the Town Administrator participates (the "457(b) Plan"), the Retirement Allocation shall be contributed or paid as follows.

A. The Town shall contribute to the 401(a) Plan the lesser of (y) twenty and one-half percent (20½ %) of the Town Administrator's paid base salary, subject to the limitation of Code Section 401(a)(17), as adjusted for cost-of-living or (z) the maximum employer contribution permitted to be made to the 401(a) Plan taking into account the contribution limits of such 401(a) plan and the contribution limits applicable to such plan under the Code. In determining the amount of the Town's contribution to the 401(a) Plan, the Town Administrator's mandatory employee contribution made or to be made for the 2020 plan year shall be taken into account prior to determining the amount of the Town's contribution to the 401(a) Plan. Such contribution shall be made with respect to each pay date so that contributions are made substantially pro rata with the base salary paid the Town

Administrator during each payroll period until the maximum contribution from the Retirement Allocation permitted to be made to the 401(a) Plan (as described above) for the 2020 plan year is made.

B. The Town shall contribute to the 457(b) Plan the lesser of (y) four and one-half percent (4½ %) of the Town Administrator's paid base salary or (z) the maximum employer contribution permitted to be made to the 457(b) Plan. Such contribution shall be made with respect to each pay date so that contributions are made substantially pro rata until the maximum employer contribution to the 457(b) Plan (as described above) for the 2020 plan year is made.

C. Any amount of the Retirement Allocation in excess of the contributions from the Retirement Allocation to the 401(a) Plan for the 2020 plan year and the 457(b) Plan for the 2020 plan year pursuant to A. and B. above shall be paid to the Town Administrator no later than January 31, 2021.

ii. With respect to the 2021 and subsequent plan years of the 401(a) Plan and the 457(b) Plan, the Retirement Allocation shall be contributed or paid as follows.

A. First, the Town shall contribute annually to the 401(a) Plan an amount equal to the lesser of (y) [seventeen and a half percent (17.5%)] of the Town Administrator's paid base salary, subject to the limitation of Code Section 401(a)(17), as adjusted for cost-of-living or (z) the maximum employer contribution permitted to be made to the 401(a) Plan, taking into account the contribution limits of such 401(a) Plan and the contribution limits applicable to such 401(a) Plan under the Code (such contribution, the "Employer 401(a) Plan Contribution"). In determining the amount of the Employer 401(a) Plan Contribution, the Town Administrator's mandatory employee contribution made or to be made for the plan year to the 401(a) Plan shall be taken into account prior to determining the amount of the Employer 401(a) Plan Contribution. The Employer 401(a) Plan Contribution shall be made with respect to each pay date so that the Employer 401(a) Plan Contribution is made substantially pro rata with the base salary paid the Town Administrator during each payroll period until the Employer 401(a) Plan Contribution for the plan year is made.

B. Second, the Town shall contribute annually to the 457(b) Plan an amount equal to the lesser of (y) the Retirement Allocation less the amount contributed (or to be contributed) to the 401(a) Plan pursuant to A. above or (z) the maximum employer contribution permitted to be made to the 457(b) Plan taking into account the contribution limits of such 457(b) plan, including the age 50 catch-up but not including the special normal retirement age catch-up under Code Section 457(b)(3). Such contribution shall be made with respect to each pay date so that such contribution is made substantially pro rata with the base salary paid the Town Administrator during each payroll period until the maximum contribution permitted to be made to the 457(b) Plan is made.

C. Any amount of the Retirement Allocation in excess of the contributions from the Retirement Allocation to the 401(a) Plan for the applicable



plan year and the 457(b) Plan for the applicable plan year pursuant to A. and B. above shall be paid to the Town Administrator no later than January 31<sup>st</sup> of the year following the applicable plan year of such contributions.

iii. The Town Administrator shall contribute such mandatory employee contribution as she is required by the 401(a) Plan to contribute to the 401(a) Plan, currently eight percent (8%) of her Compensation as defined in the 401(a) Plan, subject to any 401(a) Plan limits taking into account the contribution limits of such plan and the contribution limits applicable to such plan under the Code. The Town Administrator may participate in the 457(b) Plan maintained by the Town and described in Code Section 457(b).

iv. The Town Administrator shall be liable for payment of any and all federal, state, and local income taxes imposed with respect to her participation in, contributions by her or on her behalf to, and distributions from the 401(a) Plan and the 457(b) Plan. The Town Administrator shall be liable for her share of the applicable Medicare taxes and additional Medicare taxes on both her and the Town's 457(b) contributions to the 457(b) Plan and her mandatory employee contributions to the 401(a) Plan. The Town shall be responsible for its share of the applicable Medicare taxes on the Town Administrator's and the Town's contributions to the 457(b) Plan and for the Town's share of the applicable Medicare taxes for the Town Administrator's mandatory employee contributions to the 401(a) Plan.

v. The 401(a) Plan and the 457(b) Plan shall be operated and maintained in accordance with the Code and the rules and regulations promulgated under the Code and all contributions to such plans shall be in accordance with the terms of such plans. The parties acknowledge that Town Administrator is currently vested in one hundred percent (100%) of the Town's contributions to such plans.

f. Holiday, military leave, jury duty leave, witness leave, and election leave to the extent provided under the Town of Parker employee benefit package.

g. A car allowance equal to Five Hundred Dollars (\$500) per month. The car allowance is intended to fully compensate for all expenses associated with automobile usage for Town business, including, but not limited to, mileage, insurance, repairs and fuel.

h. Payment of any compensation to the Town Administrator shall be subject to all withholdings, including, but not limited to, taxes and benefit premiums, required or authorized by law.

#### 4. Termination and Severance Pay.

a. In the event of the Town Administrator's Involuntary Termination (as defined below) or Termination for Good Reason (as defined below), the Town shall pay the Town Administrator a gross amount equal to six (6) months' base salary ("Severance Pay") in a lump-sum on the date of termination. Notwithstanding anything to the contrary in this Agreement, the Town shall have no obligation to pay Severance Pay in the event that the

Town Administrator is terminated for Cause (as defined below), is terminated due to death or disability, or resigns her employment (other than in a Termination for Good Reason).

b. For purposes of this Agreement:

i. "Involuntary Termination" means a termination of the Town Administrator's employment by the Town by action of the Town Council, where the Town Administrator is willing and able to perform the duties of Town Administrator and has not consented to such termination. For the avoidance of doubt, an Involuntary Termination does not include a termination for Cause or a termination due to the Town Administrator's death or disability.

ii. "Termination for Good Reason" means that the Town Administrator has resigned from her employment with the Town following the occurrence of one or more of these events:

A. a reduction in her salary or other financial benefits in a greater percentage than an applicable across-the-board reduction for all Town employees;

B. a failure of the Town to comply with any other provision of this Agreement benefiting the Town Administrator that constitutes a material breach of this Agreement; or

C. a formal request by the Town Council that the Town Administrator resign (other than a request due to an occurrence that would constitute Cause);

provided, however, that, with respect to an event described in A. or B. above, no termination shall be a Termination for Good Reason unless the Town Administrator has provided written notice to the Town Council within ninety (90) days of the initial occurrence of such event, such notice describes such event with particularity and refers to Paragraph 4(b)(ii) of this Agreement, the Town has not cured or remedied such event within thirty (30) days of receiving such notice, and the Town Administrator has resigned within thirty (30) days of the end of such cure period.

The Town Administrator and the Town agree that, as of the date of this Agreement, no event described in A., B., or C. above has occurred.

iii. "Cause" means conviction of, or the entering of a plea of guilty or "no contest" with respect to, a crime constituting a felony or a crime involving fraud, dishonesty or moral turpitude under state or federal law.

c. In the event that the Town Administrator voluntarily resigns her position with the Town (other than in a Termination for Good Reason), the Town Administrator shall give the Town one (1) month's written notice in advance, or such lesser amount of advance notice as may be otherwise mutually agreed to by the Town Administrator and Town.

d. Upon termination of her employment by the Town, the Town Administrator is entitled to and shall receive payment for all accrued vacation and sick time as provided by the Town of Parker employee benefit package and Paragraph 3.d. of this Agreement.

5. Other Terms and Conditions of Employment.

a. The Town Council and Town Administrator shall mutually agree to any such other terms and conditions of employment as they may determine from time to time, relating to the performance of the Town Administrator, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the Charter and ordinances of the Town, or any other law.

b. The Town Council shall conduct an annual performance evaluation with the Town Administrator. The evaluation shall be on the basis of mutually agreed performance indicators and standards that reflect the specific job duties of the position.

c. The Town Administrator shall reside within the Town of Parker during the term of this Agreement.

d. Dues and Subscriptions. The Town, subject to Town Council approval and annual budget and appropriation, will pay for the professional dues and subscriptions of the Town Administrator necessary for her continuation and full participation in the International City/County Management Association (ICMA), the Colorado City/County Managers' Association (CCCMA), the Metro City and County Managers Association, (MCCMA) and the Colorado Municipal League (CML), including reasonable travel costs to the conferences of those organizations. The Town Administrator shall provide to the Town an invoice of such dues, subscriptions and travel costs, and shall be responsible for ensuring that the same are included within the Town's budget. All publications and materials of a general informational nature, such as magazines and reports, received by Town Administrator as the result of the payment of such dues and subscriptions shall be made available for review to other employees and the members of the Town Council, if requested.

6. Indemnification. In the event that the Town Administrator is made or is threatened to be made a party to any action, suit or proceeding, by reason of the fact that Town Administrator is or was an employee of the Town Council or the Town, or is or was serving at the request of the Town Council or Town, the Town Administrator shall be indemnified and held harmless by the Town Council with respect to all liabilities in such action, suit or proceeding, except any judgment or liability for punitive damages awarded against the Town Administrator for wanton, reckless or intentional wrongdoing committed by the Town Administrator, unless the Town adopts a resolution in the manner provided by C.R.S. § 24-10-118(5), as amended.

7. Professional Responsibility. The Town and the Town Administrator acknowledge and agree that the Town Administrator has held herself out to the Town Council as having the requisite expertise and experience to be a professional Town Administrator who will at all times represent the Town in a professional manner not only in the performance of her professional duties as the Town Administrator, but will also conduct herself at all times in a manner that will have a

positive effect on the Town and will not act or fail to act in any manner that will negatively affect the Town.

8. General Provisions.

- a. The text herein shall constitute the entire agreement between the parties.
- b. This Agreement shall become effective commencing on the date first above written.
- c. If any provision, or any portion thereof, contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement shall be deemed severable, shall not be affected, and shall remain in full force and effect.
- d. Compliance with Article X, Section 20. It is the intent of the Town and Town Administrator to comply with the provisions of Article X, Section 20, of the Constitution of the State of Colorado, including, in particular, subsection 4(b), as approved by the voters on November 3, 1992 ("Amendment 1"). Therefore the parties agree that this Agreement is subject to an annual appropriation by the Town Council and that the failure to make such appropriation, unless such action is the result of a prior termination for improper action under Paragraph 4.(a) of this Agreement, will be deemed a termination within the meaning of Paragraph 4.(a) and (b). The parties further agree and acknowledge that the Town has established and shall maintain an adequate present cash reserve held for future payments, if required, in an amount sufficient to pay any severance compensation required by this Agreement. It is the intent of this Paragraph that the Town shall be entitled to reasonable notice and a reasonable opportunity to cure any failure to appropriate sufficient funds prior to any determination that Town Administrator's employment is terminated.
- e. Section 409A. The intent of the parties hereto is that this Agreement comply with and be operated in compliance with Section 409A of the Code ("Section 409A") and that no payments and benefits under this Agreement be subject to any additional tax or interest imposed by Section 409A and accordingly, to the maximum extent permitted, this Agreement shall be interpreted and operated in accordance with such intentions. The Town Administrator shall, at the request of the Town, take any action (or refrain from taking any action) required to comply with any correction procedure promulgated pursuant to Section 409A. No Severance Pay shall be paid unless and until the Town Administrator has had a "separation from service" for purposes of Section 409A, and, to the extent necessary to prevent the imposition of additional tax or interest under Section 409A, termination of the Town Administrator's employment (or any similar term used in this Agreement) shall mean the Town Administrator's "separation from service" for purposes of Section 409A.

IN WITNESS WHEREOF, this Agreement is executed by the parties hereto as of the date first written above.

TOWN COUNCIL OF THE TOWN OF  
PARKER

By: \_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk

\_\_\_\_\_  
Michelle Kivela  
Town Administrator



## Request for Town Council Action

**Date:** August 3, 2020

**Submitted By:** Tamara Dixon, Human Resources Director

**Reviewed By:** Michelle Kivela, Town Administrator

**Title:** **RESOLUTION NO. 20-037**  
**A Resolution to Approve the Fourteenth Amendment to Employment Agreement for the Town Attorney**

**Department:** Town Council

### EXECUTIVE SUMMARY

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An amendment to the Town Attorney's employment agreement and compensation.

### STAFF RECOMMENDATION

---

Approve

### BACKGROUND/DISCUSSION

---

The Town Council participated in the performance evaluation for the Town Attorney. The attached resolution provides for a 4.5% merit increase.

Additionally, the law firm of Davis, Graham & Stubbs reviewed the Town Attorney's employment agreement and recommended three (3) categories of changes concerning insurance benefits, retirement plan and the involuntary termination provisions of the Agreement. The recommendations of Davis, Graham & Stubbs are included in the Town Attorney's employment agreement, including the reallocation of the Town's payment of the employee portion of the health and related insurance to the Town Attorney's base salary.

### FINANCIAL IMPACT

---

The merit increase was included in the 2020 budget process.

### STRATEGIC GOAL(S)

---



**FOSTER COMMUNITY  
CREATIVITY AND  
ENGAGEMENT**



**INNOVATE WITH  
COLLABORATIVE  
GOVERNANCE**



**ENHANCE ECONOMIC  
VITALITY**

### ATTACHMENTS

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1. Resolution No. 20-037

**RECOMMENDED MOTION**

---

I move to approve Resolution No. 20-037, as part of the consent agenda.

RESOLUTION NO. 20-037, Series of 2020

**TITLE: A RESOLUTION TO APPROVE THE FOURTEENTH AMENDMENT TO  
TOWN ATTORNEY EMPLOYMENT AGREEMENT**

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 approves the Fourteenth  
Amendment to Town Attorney Employment Agreement, which is attached hereto as **Exhibit A**  
and incorporated herein.

RESOLVED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

TOWN OF PARKER, COLORADO

\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk



## EXHIBIT A

### FOURTEENTH AMENDMENT TO EMPLOYMENT AGREEMENT

THIS FOURTEENTH AMENDMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by and between the Town Council of the Town of Parker, a Colorado home rule municipality (the "Town"), and James S. Maloney (the "Town Attorney"), both of whom understand as follows:

#### RECITALS:

A. The Town and Town Attorney entered into the Employment Agreement on August 1, 2002, concerning the terms and conditions of the Town Attorney's employment with the Town (the "Employment Agreement").

B. The Town desires to increase the Town Attorney's salary effective August 1, 2020, subject to the terms and conditions of this Fourteenth Amendment.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

1. The first sentence of Section 3 of the Employment Agreement is amended to provide as follows:

3. Salary. The base salary to be paid to James S. Maloney for his services as Town Attorney shall be Two Hundred Thirty-Two Thousand Ten Dollars and Ninety Cents (\$232,010.90), annually, which shall be paid periodically in the same manner as other employees of the Town are paid, effective August 1, 2020.

2. Subparagraph 3.c. of the Employment Agreement is amended to provide as follows:

c. Health, dental, vision, and other insurance to the extent provided under the Town of Parker employee benefit package.

3. Subparagraph 3.f. of the Employment Agreement is amended to provide as follows:

f. The Town shall contribute on behalf of the Town Attorney or pay to the Town Attorney a total of twenty-two and one-quarter percent (22.25%) of the Town Attorney's paid base salary (the "Retirement Allocation"), allocated as follows.

i. With respect to the 2020 plan year of a retirement plan described in Section 401(a) of the Internal Revenue Code of 1986, as amended (the "Code") and maintained by the Town in which the Town Attorney participates (the "401(a) Plan"), the Retirement Allocation shall be contributed or paid as follows.

A. The Town shall contribute to the 401(a) Plan the lesser of (y) twenty-two and one-quarter percent (22.25 %) of the Town Attorney's paid base salary, subject to the limitation of Code Section 401(a)(17), as adjusted for cost-of-living increases or (z) the maximum employer contribution permitted to be made to the 401(a) Plan taking into account the contribution limits of such plan and the contribution limits applicable to such plan under the Code. In determining the amount of the Town's contribution to the 401(a) Plan, the Town Attorney's mandatory employee contribution made or to be made for the 2020 plan year shall be taken into account prior to determining the amount of the Town's contribution to the 401(a) Plan. Such contribution shall be made with respect to each pay date so that contributions are made substantially pro rata with the base salary paid the Town Attorney during each payroll period until the maximum contribution from the Retirement Allocation permitted to be made to the 401(a) Plan (as described above) for the 2020 plan year is made.

B. Any amount of the Retirement Allocation in excess of the contributions from the Retirement Allocation to the 401(a) Plan for the 2020 plan year pursuant to A. above shall be paid to the Town Attorney no later than January 31, 2021.

ii. With respect to the 2021 and subsequent plan years of the 401(a) Plan, the Retirement Allocation shall be contributed or paid as follows.

A. The Town shall contribute annually to the 401(a) Plan an amount equal to the lesser of (y) [twenty-two and one-quarter percent (22.25%)] of the Town Attorney's paid base salary, subject to the limitation of Code Section 401(a)(17), as adjusted for cost-of-living or (z) the maximum employer contribution permitted to be made to the 401(a) Plan, taking into account the contribution limits of such 401(a) Plan and the contribution limits applicable to such 401(a) Plan under the Code (such contribution, the "Employer 401(a) Plan Contribution"). In determining the amount of the Employer 401(a) Plan Contribution, the Town Attorney's mandatory employee contribution made or to be made for the plan year to the 401(a) Plan shall be taken into account prior to determining the amount of the Employer 401(a) Plan Contribution. The Employer 401(a) Plan Contribution shall be made with respect to each pay date so that the Employer 401(a) Plan Contribution is made substantially pro rata with the base salary paid the Town Attorney during each payroll period until the Employer 401(a) Plan Contribution for the plan year is made.

B. Any amount of the Retirement Allocation in excess of the contributions from the Retirement Allocation to the 401(a) Plan for the applicable plan year pursuant to A. above shall be paid to the Town Attorney no later than January 31<sup>st</sup> of the year following the applicable plan year of such contributions.

iii. The Town Attorney shall contribute such mandatory employee contribution as he is required by the 401(a) Plan to contribute to the 401(a) Plan, currently eight percent (8%) of his Compensation as defined in the 401(a) Plan, subject to any 401(a) Plan limits taking into account the contribution limits of such plan and the contribution limits applicable to such plan under the Code. The Town Attorney may contribute to the 457(b) Plan maintained by the Town and described in Code Section 457(b).

iv. The Town Attorney shall be liable for payment of any and all federal, state, and local income taxes imposed with respect to his participation in, contributions by him or on his behalf to, and distributions from the 401(a) Plan and the 457(b) Plan. The Town Attorney shall be liable for his share of the applicable Medicare taxes and additional Medicare taxes on his 457(b) contributions to the 457(b) Plan and his mandatory employee contributions to the 401(a) Plan. The Town shall be responsible for its share of the applicable Medicare taxes on the Town Attorney's contribution to the 457(b) Plan and for the Town's share of the applicable Medicare taxes for the Town Attorney's mandatory employee contributions to the 401(a) Plan.

v. The 401(a) Plan and the 457(b) Plan shall be operated and maintained in accordance with the Code and the rules and regulations promulgated under the Code and all contributions to such plans shall be in accordance with the terms of such plans. The parties acknowledge that Town Attorney is currently vested in one hundred percent (100%) of the Town's contributions to such plans.

4. Paragraph 10 of the Employment Agreement is amended by the addition of a new Subparagraph d. to provide as follows:

d. Section 409A. The intent of the parties hereto is that this Agreement comply with and be operated in compliance with Section 409A of the Code ("Section 409A") and that no payments and benefits under this Agreement be subject to any additional tax or interest imposed by Section 409A and accordingly, to the maximum extent permitted, this Agreement shall be interpreted and operated in accordance with such intentions. The Town Attorney shall, at the request of the Town, take any action (or refrain from taking any action) required to comply with any correction procedure promulgated pursuant to Section 409A. No Severance Pay shall be paid unless and until the Town Attorney has had a "separation from service" for purposes of Section 409A, and, to the extent necessary to prevent the imposition of additional tax or interest under Section 409A, termination of the Town Attorney's employment (or any similar term used in this Agreement) shall mean the Town Attorney's "separation from service" for purposes of Section 409A.

5. The Employment Agreement is hereby amended to the extent provided in this Fourteenth Amendment.

IN WITNESS WHEREOF, the parties have signed this Fourteenth Amendment as of the date set forth above.

**TOWN COUNCIL OF THE TOWN OF  
PARKER, COLORADO**

---

Mike Waid, Mayor

ATTEST:

---

Carol Baumgartner, Town Clerk

---

James S. Maloney, Town Attorney



## Request for Town Council Action

**Date:** August 3, 2020

**Submitted By:**

**Reviewed By:** Michelle Kivela, Town Administrator

**Title:** **RESOLUTION NO. 20-038**  
**A Resolution to Adopt a Town Council Policy Statement 1-12**  
**Concerning the Council Liaison Policy**

**Department:** **Town Administrator, Dannette Robberson**

### EXECUTIVE SUMMARY

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The purpose of this policy is to clarify the roles and responsibilities of Councilmembers regarding external, independent agencies and internal Town departments.

### STAFF RECOMMENDATION

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Approve

### BACKGROUND/DISCUSSION

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The Mayor and Councilmembers serve as Council liaisons with external, independent agencies. The role of the Council liaison is to facilitate positive and ongoing communication with external agencies on matters of mutual interest. They may serve as an advisor, board member, or local government representative.

In addition to serving as liaisons to external agencies, the Mayor and Councilmembers serve as liaisons to internal Town departments to bring an elected official perspective to certain policy discussions and to facilitate ongoing dialogue between the entire Town Council and the Town department.

Annually, the Mayor and Town Council review liaison assignments and collaborate to adjust the assignments as necessary. The purpose of a formal policy is to document the process the Councilmembers have been following in practice. The policy will provide clarity and will provide guidance to newly elected Councilmembers regarding the Council liaison process.

Staff discussed the policy with the Parker Town Council during the July 13, 2020 Study Session

and incorporated their comments into the final policy document as presented.

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**FINANCIAL IMPACT**

N/A

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**STRATEGIC GOAL(S)**

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**ATTACHMENTS**

1. Resolution No. 20-038

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**RECOMMENDED MOTION**

I move to approve Resolution No. 20-038, as part of the consent agenda.

**RESOLUTION NO. 20-038, Series of 2020**

**TITLE: A RESOLUTION TO ADOPT A TOWN COUNCIL POLICY STATEMENT  
1-12 CONCERNING THE COUNCIL LIAISON POLICY**

WHEREAS, the Town Council approved Resolution No. 18-054, Series of 2018, on August 20, 2018, to adopt the Town of Parker Policy Manual; and

WHEREAS, the Town Council desires to adopt a new Town Council Policy Statement 1-12 entitled Council Liaison Policy, which is attached hereto as **Exhibit A** and incorporated by this reference (“Town Council Policy Statement 1-12”).

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 Town Council Policy Statement 1-12 entitled Council Liaison Policy.

RESOLVED AND PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

TOWN OF PARKER, COLORADO

\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk

## *Town of Parker, Colorado*

### **POLICY STATEMENT**

|                                                            |                       |                              |
|------------------------------------------------------------|-----------------------|------------------------------|
| <b>TITLE</b><br>Council Liaison Policy                     | <b>PAGE</b><br>1 of 3 | <b>POLICY NUMBER</b><br>1-12 |
| <b>EFFECTIVE DATE</b><br>August 3, 2020                    | <b>REVISED DATE</b>   |                              |
| <b>APPROVED BY COUNCIL ACTION</b><br>Resolution No. 20-038 |                       |                              |

#### **PURPOSE**

The purpose of this policy is to clarify the roles and responsibilities of Council with external, independent agencies and internal Town departments. The primary objective for Council liaisons is to foster positive working relationships and communication between the Town and the external agencies and between the Council and internal Town departments.

Serving as a Councilmember liaison is an expectation of the elected official position.

#### **POLICY STATEMENT FOR EXTERNAL AGENCIES**

##### Council Liaison Role

The role of the liaison is intended to facilitate positive and ongoing communication with external agencies on matters of mutual interest. The intent of doing so is to ensure a continuing dialogue on how the Town and agency can work together to better meet the community needs.

The liaison roles are also determined by the external agency and may require a Council liaison to serve as an advisor, a board member, or a local government representative.

##### Liaison Assignment Guidance

The independent agency by-laws and other governing documents typically outline the selection or assignment process.

Internally, a collaborative process among Councilmembers is recommended, which takes into consideration a Councilmember's personal interests and expertise, along with their involvement in a particular subject area. As an example, a Councilmember may be handling an important initiative in which a change in liaison would be inadvisable.

Consideration should be given to the availability of various Councilmembers to attend meetings. Another consideration may be to broaden a Councilmember's knowledge by rotating responsibilities to enhance the perspective of Councilmembers.



|                                        |                       |                              |
|----------------------------------------|-----------------------|------------------------------|
| <b>TITLE</b><br>Council Liaison Policy | <b>PAGE</b><br>2 of 3 | <b>POLICY NUMBER</b><br>1-12 |
|----------------------------------------|-----------------------|------------------------------|

Since there are many factors involved in determining assignments, the process for assigning liaisons is provided as guidance rather than a prescriptive process.

### Liaison Responsibility

- In the capacity as a Council liaison, the Councilmember represents the full Town Council unless otherwise specified in the external agency's by-laws or other governing documents.
- In order to avoid violations of the Colorado Open Meetings Law, C.R.S. 24-6-401, *et seq.*, attendance at any Council liaison meeting or function is limited to two Councilmembers (unless full and timely notice of the meeting is provided in compliance with the Colorado Open Meetings Law).
- Any substantive matters, or formal policy statements or positions conveyed to external agencies through Council liaisons should be discussed with and approved by the full Town Council.
- Liaisons serve as the contact person for the external agency. Non-Council liaisons should refer any communications or requests from an external agency to the assigned Council liaison.
- Council liaisons should maintain regular attendance and notify the appropriate agency contact when unable to attend a meeting at which attendance is otherwise expected. Notify the alternate Council liaison and the Town Administrator's office to determine if the alternate is available to attend.
- Council liaisons should attend as many of the external agency's functions as necessary to foster good communications and a positive working relationship.
- Council liaisons should provide any relevant information or requests from the external agency to the full Council and the Town Administrator.
- Council liaisons should follow all relevant governance and guidance as established by the external agency.
- Councilmembers appointed by Council to external agency boards vote as a representative of Town Council regarding matters and issues that come before that board. Council liaisons are encouraged to abstain from voting on matters where discussion with the Parker Town Council is warranted.

## **POLICY STATEMENT FOR INTERNAL DEPARTMENTS**

### Council Liaison Role

The role of the Council liaison to identified internal Town departments is to bring an elected official perspective to certain policy discussions and to facilitate ongoing dialogue between the Council and the Town department.

### Liaison Assignment Guidance

Internally, a collaborative process among Councilmembers is recommended, which takes into consideration a Councilmember's personal interests and expertise, along with their involvement

|                                        |                       |                              |
|----------------------------------------|-----------------------|------------------------------|
| <b>TITLE</b><br>Council Liaison Policy | <b>PAGE</b><br>3 of 3 | <b>POLICY NUMBER</b><br>1-12 |
|----------------------------------------|-----------------------|------------------------------|

in a particular subject area. When a Councilmember is handling an important initiative, it would be inadvisable to change liaisons.

When possible, internal assignments should align with external assignments. For example, a Council liaison to transportation-related external agencies should also serve as the liaison to the Engineering/Public Works Department.

Consideration should be given to the availability of various Councilmembers to attend meetings. Another consideration may be to broaden a Council member's knowledge by rotating responsibilities to enhance the perspective of Councilmembers.

Since there are many factors involved in determining assignments, the process for assigning liaisons is provided as guidance rather than a prescriptive process.

#### Liaison Responsibility

- In the capacity as a Council liaison to internal departments, the Councilmember(s) represent(s) the full Town Council.
- In order to avoid violations of the Colorado Open Meetings Law, C.R.S. 24-6-401, *et seq.*, attendance at any Council liaison meeting or function is limited to no more than two Councilmembers (unless full and timely notice of the meeting is provided in compliance with the Colorado Open Meetings Law).
- In compliance with Chapter 2.03.020(g)(2) of the Parker Municipal Code and Section 4.6 of the Town Charter, Councilmembers are not to give direction to staff except through the Town Administrator.
- Council liaisons are encouraged to provide feedback and offer an elected official perspective on departmental projects, initiatives, and proposed policy decisions.
- On departmental matters discussed during study sessions, respective Council liaisons are encouraged to convey to the full Council any insights gathered during departmental liaison meetings.
- During Town Council comment periods at study sessions and Town Council meetings, Council Liaisons should report any pertinent public information to the full Council obtained while attending departmental liaison meetings.
- The liaison will serve as the contact person for matters pertaining to the respective department. Non-Council liaisons should refer any communications or requests to the assigned Council liaison.
- The Council liaison should provide any relevant or timely information or requests from department liaison meetings to the full Council and the Town Administrator.



*Your kind of place.*

## PROCLAMATION

**WHEREAS**, it is the privilege and duty of the American people to commemorate the two hundred and thirty-second anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

**WHEREAS**, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23, 2020 as Constitution Week.

**NOW, THEREFORE**, I, Mike Waid by virtue of the authority vested in me as Mayor of the Town of Parker do hereby proclaim the week of September 17 through 23, 2020 as

### CONSTITUTION WEEK

and urge all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the Town to be affixed this 3<sup>rd</sup> day of August, the year of our Lord two thousand twenty.

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Mike Waid, Mayor

ATTEST:

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Carol Baumgartner, Town Clerk



## Request for Town Council Action

**Date:** August 3, 2020  
**Submitted By:** Tom Gill, Associate Project Manager  
**Reviewed By:** Michelle Kivela, Town Administrator  
**Title:** **Parker Road Sidewalk (Twenty Mile to Hess) - Final Design Services**

**Amount:** \$115,608  
**Contractor:** Stanley Consultants, Inc.  
**Department:** Engineering and Public Works, Tom Gill

### EXECUTIVE SUMMARY

---

This agenda item is for the approval of a professional services agreement with Stanley Consultants, Inc., for final design services of the Parker Road Sidewalks (Twenty Mile Road to Hess Road) project.

### STAFF RECOMMENDATION

---

Approve

### BACKGROUND/DISCUSSION

---

In August 2019, Stanley Consultants, Inc., completed the 30% preliminary design for the Parker Road Sidewalks (Twenty Mile to Hess) project and the plans were shelved. This design was for a multi-use trail/sidewalk on the west side of Parker Road between the Twenty Mile Road/Hilltop Road intersection and the Hess Road intersection.

The current project scope of services will advance the 30% plans to final design level for the Parker Road Sidewalks project. The project will be broken into three segments. The first will include extending the sidewalk from south of Twenty Mile Road 2,750 feet down to Indian Pipe Lane. Segment 2 will include providing a sidewalk spur connection from the proposed Parker Road sidewalk down to the Cherry Creek Trail just north of the McCabe Meadows Trailhead. Segment 3 will extend the sidewalk an additional 2,100 feet south to Hess Road.

Design services will include, but not limited to, project management, utility coordination, final design and bidding assistance.

The scope of this work is to be completed by June 30, 2021, to support the planned bidding of the project in the spring of 2021. Construction of the planned project will be contingent on future funding for this capital improvement project which is eligible for State multi-modal funding assistance by CDOT. An intergovernmental agreement (IGA) with CDOT will be required for this arrangement via a future Town ordinance.

### **FINANCIAL IMPACT**

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Funding for this agreement has been appropriated in the Highway and Streets Capital Projects Fund (301-4310).

### **STRATEGIC GOAL(S)**

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**SUPPORT AN  
ACTIVE COMMUNITY**



**PROMOTE A SAFE AND  
HEALTHY COMMUNITY**



**INNOVATE WITH  
COLLABORATIVE  
GOVERNANCE**



**DEVELOP A VISIONARY  
COMMUNITY THROUGH  
BALANCED GROWTH**

### **ATTACHMENTS**

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1. Parker Road Sidewalk Vicinty Map-20-Mile to Hess

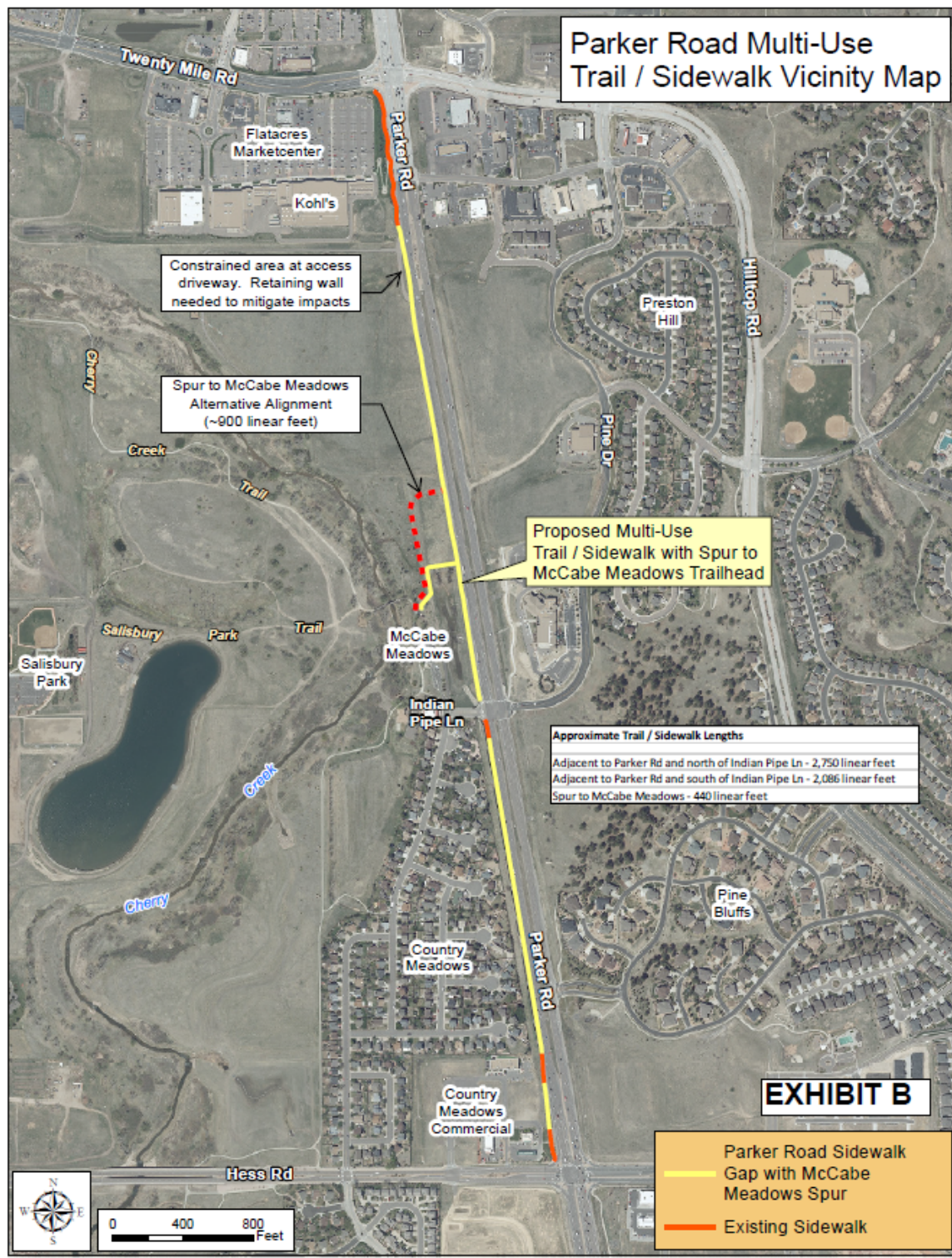
### **RECOMMENDED MOTION**

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I move to approve the staff recommendation, as a part of the consent agenda.



# Parker Road Multi-Use Trail / Sidewalk Vicinity Map





## Request for Town Council Action

**Date:** August 3, 2020

**Submitted By:** Carolyn Parkinson, Planner I  
BrieAnna Simon, Associate Planner  
John Fussa, Community Development Director

**Reviewed By:** Michelle Kivela, Town Administrator

**Title:** **OLDE TOWN AT PARKER - Rezone, Sketch and Preliminary Plans (Continued from 7/20/20)**

**Applicant:** Pacific North Enterprises, LLC

**Location:** Generally located on the south side of Mainstreet between Jordan Road and Motsenbocker Road

**Department:** Community Development, Carolyn Parkinson

**TRAKiT No.:** Z19-014, SUB19-014/SUB19-015

### EXECUTIVE SUMMARY

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The subject property is an undeveloped 12.2 acre tract located south of Mainstreet between Motsenbocker Road in the east and Jordan Road in the west. The current property owner, Senderos Creek Condos, L.L.C., is proposing to amend the Olde Town at Parker Planned Development (PD) Guide and Plan to incorporate the tract into the PD. It will be zoned for residential use and is proposed to be developed with for-sale townhomes and condominiums.

If approved, the proposal would add 12.2 acres to the Olde Town at Parker PD that went bankrupt during the Great Recession of 2007-2008 and is now being developed under the name Senderos Creek. This action will complete the residential portion of Olde Town, address the Moomah enclave that was annexed several years ago and provide an attainable for-sale housing option. It will also fulfill the original vision of Olde Town/Senderos Creek as a mixed-use neighborhood with a range of housing options, commercial space and a centrally located park with pool.

### STAFF RECOMMENDATION

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Approve with Conditions

## **BACKGROUND/DISCUSSION**

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The Town annexed the property constituting the Olde Town at Parker PD in December, 2000 and adopted mixed-use zoning that provided for 595 residential dwelling units, 5.5 acres of commercial use and several parks. In 2003, the original developer obtained approval for a PD zoning amendment and a Sketch/Preliminary Plan that increased commercial Planning Area 1 (PA1) near the intersection of Mainstreet and Jordan Road from 5.5 to 13.4 acres. The commercial uses in PA1 have been partially developed with a convenience store/service station, multi-tenant retail building and professional office building.

The Olde Town at Parker PD subdivision design was also amended at that time to orient most residential Planning Areas around a centrally located park and community center with pool accessible from major surrounding streets. The initial phases of the Olde Town at Parker development started near Jordan Road in the west but were interrupted by the Great Recession of 2007-2008 when the developer went bankrupt. This resulted in a stranded development that was partially built without a completed internal street network and limited residential amenities. The current developer, an entity of Pacific North, purchased the undeveloped remnants of the Olde Town at Parker PD several years ago and reconstituted the project as Senderos Creek. They obtained Town approval for the development of the eastern half of the Olde Town at Parker PD near Motsenbocker Road in 2017. This section of the project is currently under construction with townhomes, detached single-family homes, new internal roads and an improved park with the community pool that the original developer failed to construct.

The proposed amendment to the Olde Town at Parker PD will add 12.2 acres of undeveloped land south of Mainstreet, east of Jordan Road and west of American Academy Charter School to the PD. This land is known as the Moomah property and it was an enclave that the Town annexed in 2014. The Town's goal in annexing the property was to ensure that it was developed for future residential use consistent with the Olde Town at Parker PD and adjacent areas.

The proposed amendment to the Olde Town at Parker PD will increase the range of home ownership opportunities in the PD to include for-sale townhomes and condominium. It will also provide the residential yield necessary to complete the required infrastructure in Olde Town including roads, parks and the community center with new pool. The proposed Sketch/Preliminary Plans and administrative Site Plan comply with the Town's development design, landscaping, parks dedication and open space standards.

The two (2) commercial lots and adjacent drainage basin that are included in the proposal are located in PA1 with a Commercial Center designation. This area will remain zoned for future commercial use with required stormwater detention. It is addressed by and will be incorporated into the amended Olde Town at Parker PD.

The proposed amendment to the Olde Town at Parker PD is consistent with the Parker 2035 Master Plan that identifies the property as part of the Medium Density Residential Character Area within a mixed-use Neighborhood Center. The proposal achieves the Master Plan



recommendation for a mixed-use Neighborhood Center with a range of housing types that integrates commercial and parks/open space uses in a well-designed, master planned community. The proposal is therefore consistent with the Town's land use policy for this area and satisfies the nine (9) criteria for rezoning approval found in the Land Development Ordinance.

The Town Council continued their public hearing on July 20, 2020 and remanded the proposed development applications back to the Planning Commission for additional public comment to address an issue that some members of the public had in using the Zoom platform to participate in the Commission hearing. The Planning Commission held the public hearing on July 23, 2020 and heard additional public comment about the applications. They affirmed their prior recommendation and voted unanimously to recommend that Town Council approve the proposed rezoning and Sketch/Preliminary Plan applications.

### **FINANCIAL IMPACT**

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None

### **STRATEGIC GOAL(S)**

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DEVELOP A VISIONARY  
COMMUNITY THROUGH  
BALANCED GROWTH



ENHANCE ECONOMIC  
VITALITY

### **ATTACHMENTS**

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1. Vicinity Map
2. Planning Commission Staff Report
3. Ordinance 3.163.3
4. Conceptual Plan for Senderos Creek North
5. Sketch and Preliminary Plans

### **RECOMMENDED MOTION**

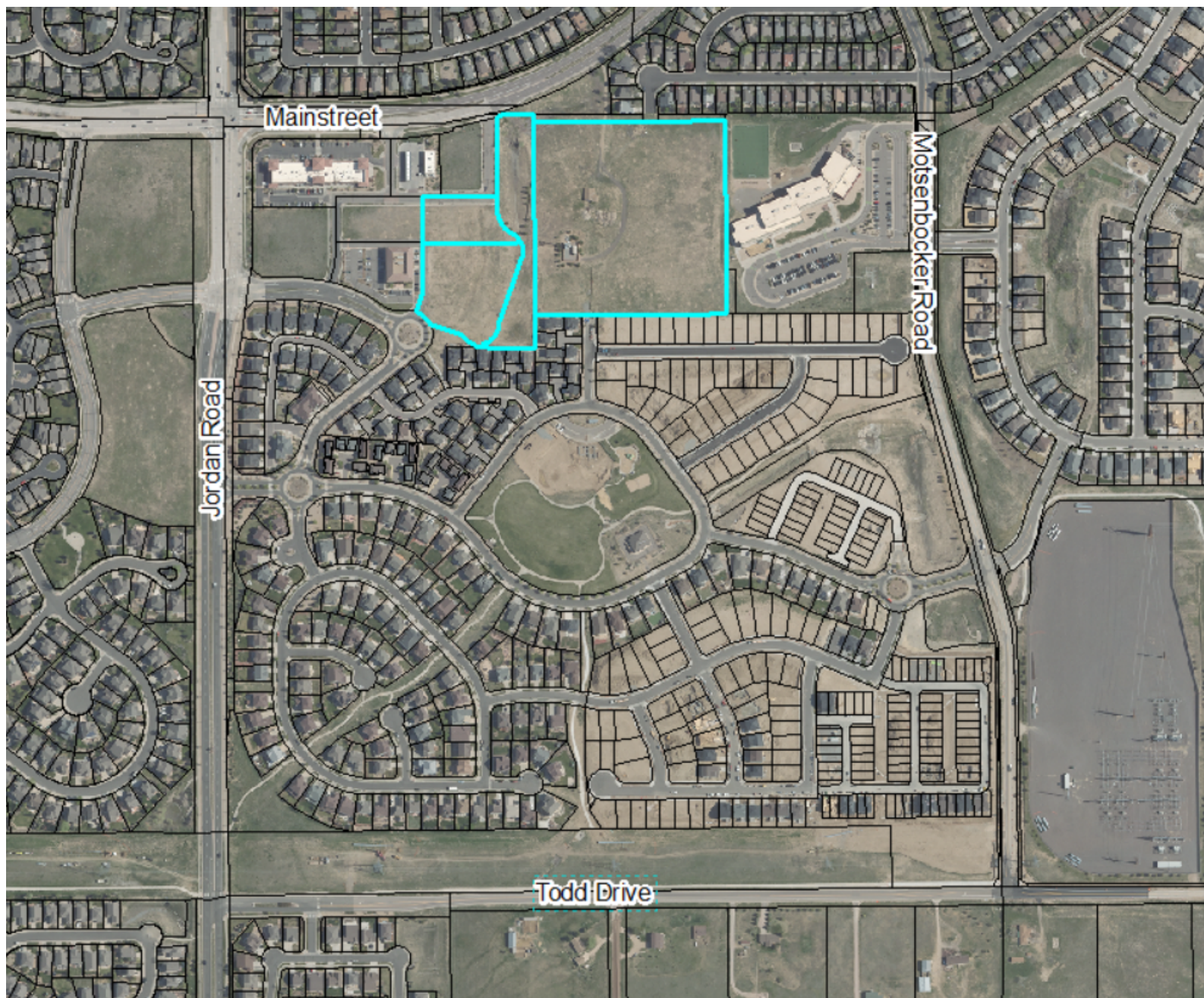
---

(1) I move to approve Ordinance No. 3.162.3 on second reading.

(2) “I move the Town Council approve the Olde Town at Parker F2 Sketch and Preliminary Plans at public hearing, with the two (2) conditions in the staff report.”

1. Utility easements as requested by Public Service Company of Colorado, IREA and Parker Water and Sanitation District must be shown on the Final Plat.

2. The applicant shall meet required setbacks and zoning within the Planned Development Guide.



Mainstreet

Molsenbocker Road

Jordan Road

Todd Drive



## **Planning Commission Staff Report**

**Planning Commission Date:** 6/25/2020

**Town Council Date:** 7/20/2020

**Hearing Type:** Public Hearing  
Olde Town at Parker

**A. Rezone**  
**B. Filing 2 – Sketch and Preliminary Plans**  
**TRAKiT No(s): Z19-014, SUB19-014 & SUB19-015**

**Location:** Generally located on the south side of Mainstreet between Jordan Road and Motsenbocker Road.

**Project Planner:** Carolyn Parkinson, Planner

**Applicant:** Norris Design-Bill Mahar, Representative  
Pacific North Enterprises, Owner

**Executive Summary:** The applicant, Norris Design, is proposing:

- an amendment to the Olde Town at Parker Planned Development(PD) zoning to include an additional 12.2 acres for condominium and single-family attached housing to be known as Senderos Creek North and
- Sketch and Preliminary Plans for 48 residential townhome sites and a five+ acre site on which to construct three multifamily condo buildings. Additionally, the applicant will reconfigure two adjacent commercial lots and the existing drainage facilities.

**Staff Recommendation:** Approval

### **RECOMMENDED MOTION**

***“I move the Planning Commission recommend Town Council approve an ordinance for the Olde Town at Parker Planned Development Guide- 3<sup>rd</sup> Amendment.”***

***“I move the Planning Commission recommend Town Council approve the Olde Town at Parker F2 Sketch and Preliminary Plans, with the two (2) conditions in staff’s report.”***



1. *Utility easements as requested by Public Service Company of Colorado, IREA and Parker Water and Sanitation District must be shown on the Final Plat.*
2. *The applicant shall meet required setbacks and zoning within the Planned Development Guide.*

### **ALTERNATIVE MOTIONS**

*“I move the Planning Commission recommend Town Council approve an ordinance for the Olde Town at Parker Planned Development Guide - 3<sup>rd</sup> Amendment, subject to the following conditions:”*

*-List proposed conditions*

*“I move the Planning Commission recommend Town Council approve the Olde Town at Parker Filing 2 Sketch and Preliminary Plans, subject to the following conditions:”*

*-List proposed conditions*

*“I move the Planning Commission recommend Town Council deny an ordinance for the Olde Town at Parker Planned Development Guide- 3<sup>rd</sup> Amendment 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 recommend Town Council deny the Olde Town at Parker Filing 2 Sketch and Preliminary Plans 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 an ordinance for the Olde Town at Parker Planned Development Guide- 3<sup>rd</sup> Amendment to a future date.”*

*“I move the Planning Commission vote to continue the Olde Town at Parker Filing 2 Sketch and Preliminary Plans to a future date.”*

## **I. BACKGROUND/DISCUSSION**

The Olde Town at Parker property was annexed in December, 2000, with a PD zoning which provided for 5.5 acres of commercial area, 595 residential units and a series of parks. In 2003, the PD was amended and a sketch and preliminary plan was approved that enlarged the commercial area (PA1) to 13.35 acres. This commercial area included the access drive and adjacent drainage swale on the east boundary of the planning area. The residential development under this PD was also re-organized to create a central park and community center area within the Olde Town project. Construction of the western half of the PD ceased in 2008 with the economic downturn but has since been largely developed. In 2017, the eastern half of the original development was approved for single-family detached and paired homes and is currently under construction.

The current rezoning, sketch and preliminary plans add 12.2 unplatted acres located north of the original development which were annexed into the Town in 2014. The subject area is bounded on the east by the American Academy at Motsenbocker and to the west by the Mainstreet Dental Plaza commercial development. To the north of the site is the Clark Farms single-family residential neighborhood and to the south is the Olde Town/Senderos Creek neighborhood that is currently under construction.

### **PD Amendment**

The PD currently allows 4.51 dwelling units per acre. The PD amendment will result in an increase to overall density of less than one dwelling unit per acre and does not preclude the applicant's ability to meet the landscaping, open space or park dedication requirements.

The two commercial lots and the adjacent drainage area are currently located in PA1 and are designated as Commercial Center. This area will remain largely unchanged in terms of use with the exception of a 1.86 acres portion of the drainage tract mentioned above. This acreage will be reclaimed and incorporated into the new residential planning areas.

### **Sketch and Preliminary Plans**

The sketch and preliminary plans propose 48 townhome lots and one 5.236-acre lot that will be developed into three condominium buildings containing 108 dwelling units, for a total of 156 residential units.

Additionally, the plat will reconfigure two commercially zoned lots and reclaim 1.86 acres of the adjacent drainage tract through re-engineering. These two commercial lots and the drainage tract will be removed from Filing 1 and replatted into Filing 2.



## **II. PRIOR ACTIONS**

| <b>Date</b> | <b>Action</b>                                                                                                                                                                                                                                        |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2000        | The original Olde Town at Parker property was annexed into the town with a PD zoning which provided for 5.5 acres of commercial area, 595 residential units.                                                                                         |
| 2003        | The PD was amended and sketch and preliminary plans were approved that enlarged the commercial area to 13.35 acres. The residential development under this PD was also re-organized but with no change in the number of allowable residential units. |
| 2008        | Construction of the western half of the PD, approved with commercial and residential uses by the original developer, ceased with the economic downturn but has since been largely developed.                                                         |
| 2017        | The eastern half of the original development was approved for single-family detached and paired homes. The total number of allowed residential units was decreased to 493.                                                                           |

### **III. CURRENT SITE DATA**

|                  |                                               |                          |                                                             |
|------------------|-----------------------------------------------|--------------------------|-------------------------------------------------------------|
| Existing Zoning  | A - Agricultural District                     |                          |                                                             |
| Overlay District | N/A                                           |                          |                                                             |
| PD & Plan Area   | Olde Town at Parker 2nd Amendment / Unplatted |                          |                                                             |
| Master Plan Area | Medium Density Residential                    |                          |                                                             |
| Site Acreage     | 15.369                                        |                          |                                                             |
| Subdivision      | Olde Town at Parker / Unplatted               |                          |                                                             |
| Existing Use     | Undeveloped                                   |                          |                                                             |
| Surrounding Uses |                                               |                          |                                                             |
|                  | Master Plan Land Use                          | Zoning                   | Existing Use                                                |
| North            | Medium Density Residential                    | PD - Planned Development | Single-Family Residential – Clark Farms                     |
| South            | Medium Density Residential                    | PD - Planned Development | Single-Family attached and detached- Olde Town at Parker    |
| East             | Medium Density Residential                    | PD - Planned Development | Elementary School - American Academy                        |
| West             | Neighborhood Center                           | PD - Planned Development | Olde Town at Parker Commercial Center – Retail and Services |

### **IV. PARKER 2035 MASTER PLAN**

[Parker 2035 Master Plan | Town of Parker - Official Website](#)

| <b>MASTER PLAN CONSISTENCY</b>          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Master Plan Designation</b>          | Medium Density Residential within a Neighborhood Center<br><input checked="" type="checkbox"/> <b>Consistent</b> <input type="checkbox"/> <b>Inconsistent</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Master Plan Character Discussion</b> | <b><u>Medium Density Residential:</u></b> 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.<br><b><u>Neighborhood Centers:</u></b> 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. 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Consistent Goals/Strategies</b> | <a href="#">Land Use 1.A</a><br><a href="#">Land Use 1.C</a><br><a href="#">Land Use 1.E</a><br><a href="#">Land Use 1.F</a><br><a href="#">Land Use 1.H</a><br><a href="#">Housing and Neighborhoods 2.A</a>                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Staff Analysis</b>              | <p>This proposal is consistent with the Parker 2035 Master Plan which identifies this area as Medium Density Residential and within a Neighborhood Center. The Medium Density Residential designation recommends an overall density of 3.5 DU's per acre while the Neighborhood Center allows for higher density when applied in a mixed use walkable development.</p> <p>This project integrates commercial uses with adjacent residential and recreational uses through pedestrian oriented alternative access routes, creating a sense of community among those who work, live and play within the neighborhood.</p> |

## **LAND DEVELOPMENT ORDINANCE**

| <b>ZONING CONSISTENCY (Sketch/Prelim Plan)</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                          |                                                                                                                                    |
|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| <b>Provisions</b>                              | <b>Existing/Required</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Proposed</b>                                                                                          | <b>Analysis</b>                                                                                                                    |
| <b>Setbacks – Townhomes PA 10</b>              | From local street right-of-way: <ul style="list-style-type: none"> <li>- 10 feet to the structure</li> <li>- 18 feet to the face of the garage</li> </ul> From private drive/court: <ul style="list-style-type: none"> <li>- 3 feet (no parking in driveway if less than 18 feet)</li> </ul> From arterial or collector street right-of-way: <ul style="list-style-type: none"> <li>- 25 feet</li> </ul> From north property boundary: <ul style="list-style-type: none"> <li>- 12 feet</li> </ul> From private lot lines: <ul style="list-style-type: none"> <li>- 3 feet (7 feet between structures)</li> </ul> | Structures are not a part of this proposal. Required setbacks will be met at time of site plan approval. | <input checked="" type="checkbox"/> Consistent<br><input type="checkbox"/> Inconsistent<br><input checked="" type="checkbox"/> N/A |
| <b>Setbacks- Condominiums PA 9</b>             | From local street right-of-way: <ul style="list-style-type: none"> <li>- 10 feet to the structure</li> <li>- 18 feet to the face of the garage</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                          |                                                                                                                                    |



|                                    |                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                         |                                                                                                                                    |
|------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
|                                    | From private drive/court:<br>- Driveway must be $\leq 5$ feet or $\geq 18$ feet.<br>From arterial or collector street right-of-way:<br>- 20 feet                                                                                                                                                                                                                                    |                                                                                                                                                         |                                                                                                                                    |
| <b>Density</b>                     | 5.28 DU/AC                                                                                                                                                                                                                                                                                                                                                                          | 5.01 DU/AC                                                                                                                                              | <input checked="" type="checkbox"/> Consistent<br><input type="checkbox"/> Inconsistent<br><input type="checkbox"/> N/A            |
| <b>Height/Stories-Townhouses</b>   | 40 feet                                                                                                                                                                                                                                                                                                                                                                             | Structures are not a part of this proposal.<br>Required height will be met at time of site plan approval.                                               | <input checked="" type="checkbox"/> Consistent<br><input type="checkbox"/> Inconsistent<br><input checked="" type="checkbox"/> N/A |
| <b>Height/Stories-Condominiums</b> | 45 feet                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                         |                                                                                                                                    |
| <b>Landscaping</b>                 | <a href="#">Title 13.06.070</a>                                                                                                                                                                                                                                                                                                                                                     | All required streetscape, open space and common area landscape has been met.<br>Individual lot specific requirements will be met at site plan approval. | <input checked="" type="checkbox"/> Consistent<br><input type="checkbox"/> Inconsistent<br><input type="checkbox"/> N/A            |
| <b>Off-Street Parking</b>          | <a href="#">Title 13.06.050</a>                                                                                                                                                                                                                                                                                                                                                     | All parking requirements will be met at site plan approval.                                                                                             | <input type="checkbox"/> Consistent<br><input type="checkbox"/> Inconsistent<br><input checked="" type="checkbox"/> N/A            |
| <b>Staff analysis</b>              | As outlined above, staff has evaluated the requested Sketch and Preliminary Plans against the requirements in the Olde Town at Parker PD zoning as well as the standards in the Land Development Ordinance (LDO) and determined that the request complies with the relevant standards. The proposed sketch and preliminary plans are in conformance with the proposed PD amendment. |                                                                                                                                                         |                                                                                                                                    |

| <b>DEVELOPMENT POTENTIAL (Rezoning-PD Amendment)</b> |                                          |                 |                 |
|------------------------------------------------------|------------------------------------------|-----------------|-----------------|
| <b>Provisions</b>                                    | <b>As recommended by the Master Plan</b> | <b>Proposed</b> | <b>Analysis</b> |

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                    |                                                                                                                                                               |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Units Per Acre</b> | The Medium Density Residential recommends an overall density of 3.5 DU's per acre while the Neighborhood Center allows for higher density when applied in a mixed use walkable development.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5.01 DU/AC                                                                                                         | <input checked="" type="checkbox"/> Consistent<br><input type="checkbox"/> Inconsistent<br><input type="checkbox"/> No Change<br><input type="checkbox"/> N/A |
| <b>Allowed Uses</b>   | Medium and higher density residential uses as well as commercial uses including retail and personal service, small offices, recreational uses and restaurants.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | For sale multifamily housing. (Townhomes and Condominiums)<br><br>Office and commercial uses as allowed by the PD. | <input checked="" type="checkbox"/> Consistent<br><input type="checkbox"/> Inconsistent<br><input type="checkbox"/> No Change                                 |
| <b>Staff Analysis</b> | <p>The proposed PD amendment is consistent with the Land Use'and Housing and Neighborhoods sections of the Parker 2035 Master Plan.</p> <p>The inclusion of multifamily housing types will expand housing options and help to diversify homeownership in Parker by meeting the needs of a wide range of the population including young families, professionals and seniors.</p> <p>Higher density residential is appropriate in the neighborhood center designation as a transition between less intense residential and non-residential areas when developed as part of a mixed use development. This project combines a variety of housing types with a design that expands pedestrian connectivity and encourages residents to walk or bicycle to obtain goods and services. This supports the "full service community" that is envisioned in the Parker 2035 Master Plan.</p> |                                                                                                                    |                                                                                                                                                               |

## **V. ACCESS, CIRCULATION & TRAFFIC ANALYSIS**

The property is located near the intersection of Jordan Road and Mainstreet; providing good transportation connections to major transportation corridors such as I-25 and Parker Road. There are two access points into the development, one from the north via Mainstreet, and a second from the south via E Springfield Court. The extension of E Springfield Court will provide vehicular and pedestrian access from the residential areas to the adjacent commercial facilities. Springfield Ct from the south will end in a cul-de-sac, avoiding thru traffic for Clark Farms.

An internal network of private drives will connect the public rights-of-way to the new residential development. The private drives will conform to Town of Parker criteria and be owned and maintained by the Olde Town Metropolitan District.

The sidewalk network is an important component of the development and is designed to provide pedestrian/bicycle connections between homes and the open space/park areas. This network will connect to the existing sidewalks and trails within the overall neighborhood and will also provide access to the East West Regional Trail and the Cherry Creek Regional Trail.

## **VI. APPROVAL CRITERIA**

### **Title 13.04.240.f. Approval Considerations for Rezoning Requests:**

1. A need exists for the proposal.

*The site will be a mix of single- family attached townhomes and condominiums offering a mix of housing types necessary for the Town to accommodate the wide-ranging housing needs of its population as expressed in the Parker 2035: Changes and Choices (Master Plan).*

#### **Staff Analysis**

Currently the Olde Town at Parker PD does not include the additional acreage that will be added to the development as a result of this amendment and the associated plat. The PD Amendment will also adjust planning area boundaries to improve developability of the commercial area.

Based on this analysis, staff has determined that the request meets this criterion.

2. The particular parcel of ground is indeed the correct site for the proposed development.

*The parcel's location between an existing single-family residential neighborhood and a commercial development makes it an ideal place to provide a mix of single-family and multi-family housing options. The development completes the planned residential Senderos Creek neighborhood, filling a vacant gap between existing uses. The Proposed Project is within walking distance to local amenities such as the park and recreation center of the adjacent Neighborhood Activity Center as well as the existing and proposed commercial development to the west.*

#### **Staff Analysis**

The additional acreage is directly adjacent to the existing Olde Town at Parker development. Though it is surrounded on all sides by residential and commercially zoned property, this site has remained undeveloped; presumably because of inherent challenges on the site. It is a relatively small parcel, has no direct access from Mainstreet and includes a cell tower that must be incorporated into the development. The applicant has

worked closely with the Olde Town Metro District and HOA throughout this process. The additional acreage will be included into the Olde Town Metro District and HOA. Inclusion of this property into the Olde Town/Senderos Creek neighborhood will complete the subdivision and provide creative solutions to the existing development challenges.

Based on this analysis, staff has determined that the request meets this criterion.

3. There has been an error in the original zoning; or  
Not applicable

There is no error in the original zoning for this property. This criterion is not applicable to this proposal.

4. There have been significant changes in the area to warrant a zone change.  
*Parker's growth rate as well as larger industry trends have shifted land use priorities in the Town from agricultural towards residential. This is particularly apparent in the Olde Town Subdivision which has developed as residential. As this is the final piece of the subdivision, this project's completion will establish the area's character as a residential neighborhood. This is reflected in the Parker 2035: Choices and Changes (Master Plan) General Land Use Plan which designates the site location as Medium Residential Density. Additionally, the Town's Master Plan mentions that housing affordability has become more of an issue and notes the importance of diversifying the existing housing stock through attainable housing options in response to this.*

#### Staff Analysis

The 12-acre site that is the subject of this request is currently zoned agricultural and is the last undeveloped parcel in this area. The zoning proposed by the applicant is consistent with the existing development and will complete the mixed use design originally envisioned for the Olde Town at Parker subdivision.

Based on this analysis, staff has determined that the request meets this criterion.

5. Adequate circulation exists and traffic movement would not be impeded by development; and  
*Senderos Creek North will include a new street connection between the existing drive aisle in the adjacent commercial area to the west and Neu Towne Circle via an extension of East Springfield Court. East Springfield Court is currently stubbed to the Property for future extension. These street connections will provide improved connectivity both within in the neighborhood and to the surrounding community. Enhanced pedestrian connections to the existing and future commercial development*

*adjacent to the site establishes the potential for residents to walk to work and services.*

#### Staff Analysis

The applicant worked with the Town's engineering staff to provide adequate access, resolve incomplete streets and avoid impacting nearby residential areas.

- Two access points will provide adequate circulation for the new development.
- The extension of E Springfield Court from the south will provide an additional connection to the adjacent commercial uses.
- In response to concerns from the adjacent Clark Farms subdivision, the applicant is proposing a cul-de-sac on E Springfield Court from the north to avoid impacts to this established neighborhood from the new development.

Based on this analysis, staff has determined that the request meets this criterion.

6. Additional municipal service costs will not be incurred which the Town is not prepared to meet.  
*The proposed project is meeting all applicable fees, policies, and requirements as specified by the Town of Parker and applicable utility districts.*

#### Staff Analysis

This proposal completes an existing development previously approved for similar density. Town services to the development include road maintenance and emergency police response. The Town currently maintains public roads adjoining the development and will accept new public roads by dedication as development proceeds. Maintenance services will not need to be unreasonably extended to provide service to this development. The Police Department did not respond to referral requests. The Police Department's historic position on developments of this nature has been that calls for service will be increased but not to a level which would exceed the Police Department's capacity. South Metro Fire and Rescue Authority will provide service to this area as it lies within their district boundaries.

Based on this analysis, staff has determined that the request meets this criterion

7. There are minimal environmental impacts or impacts can be mitigated.  
*There are no known environmental impacts associated with development of the property.*

#### Staff Analysis

No environmental concerns were identified by referral agencies. No significant wildlife or open space resource areas were identified for potential preservation in the Town's *Open Space, Trails and Greenways Master Plan*.

8. The proposal is consistent with the Town Master Plan, maps, goals, and policies.

*The Proposed Project will bring zoning in line with the residential use identified for the area on the the General Land Use Plan in the Town Master Plan. This is consistent with the other planning areas established in the Olde Town PD. The proposed Senderos Creek North neighborhood will be compatible with the adjacent land uses and seeks to create a “full service community” of residents with walkable connections to parks, open space, and services, as envisioned in the Town Master Plan.*

#### Staff Analysis

The Parker 2035 Master Plan identifies this area as Medium Density Residential and as being within a Neighborhood Center. The Medium Density Residential recommends an overall density of 3.5 DU’s per acre while the Neighborhood Center allows for higher density when applied in a mixed-use walkable development. This project integrates commercial uses with adjacent residential and recreational uses through a network of pedestrian oriented alternative access routes.

Recommendations within the Parker 2035 Master Plan for the Neighborhood Centers allow for higher density residential uses as a transition between less intense residential areas and non-residential areas when developed as part of a mixed-use development.

The rezoning associated with this proposal is consistent with the current Parker 2035 Master Plan maps goals and policies as further described in Section IV of this staff report.

Based on this analysis, staff has determined that the request meets this criterion

9. There is adequate waste and sewage disposal water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.  
*Parker Water and Sanitation District (PWSD) will provide potable water and sanitary sewer service to the Proposed Project.*

*The neighborhood is located within the Douglas County School District and within the feeder area for Chaparral High School. It is anticipated that Prairie Crossing Elementary School and Sierra Middle School will also serve residents within the Proposed Project. It should also be noted that the K-8 American Academy Charter School is located directly east of the Proposed Project and will serve residents as well.*

#### Staff Analysis

Water and sewer services will be provided by the Parker Water and Sanitation District. The cost to extend these facilities to the project area will be the responsibility of the developer.

The applicant has agreed to provide the appropriate cash-in-lieu of school facilities necessary to mitigate impacts created by the development to the satisfaction of the school district. Open space and trail dedications within this proposal have remained consistent with original approvals.

### **SUMMARY REFERRAL AGENCY COMMENTS AND CONDITIONS**

| <b>Agency</b>                      | <b>Comments-<br/>and Preliminary Plan</b>                        | <b>Sketch</b> | <b>Zoning</b>                                 |
|------------------------------------|------------------------------------------------------------------|---------------|-----------------------------------------------|
| Aztec                              | Minor technical Comments-will be satisfied prior to recordation. |               | No Comment                                    |
| Building                           | Advisory Comments                                                |               | No referral sent                              |
| Century Link                       | No Comment                                                       |               |                                               |
| Centennial Airport                 | Advisory Comments                                                |               |                                               |
| Cherry Creek Basin Water Authority | Advisory Comments                                                |               | No referral sent                              |
| Clark Farms HOA                    | No Comment                                                       |               |                                               |
| Comcast                            | No Comment                                                       |               |                                               |
| Comprehensive Planning             | No Comment                                                       |               | Advisory Comments in support of the proposal. |
| Douglas County Assessor            | No Comment                                                       |               |                                               |
| Douglas County Planning            | Completed                                                        |               | No Comment                                    |
| Douglas County Schools             | No Comment                                                       |               |                                               |
| Fire Life Safety                   | Advisory Comments                                                |               | No Comment                                    |
| IREA                               | Advisory Comments                                                |               | Approved                                      |
| Neu town HOA                       | No Comment                                                       |               |                                               |
| Olde Town Metro District           | No Comment                                                       |               |                                               |
| Parker water and Sanitation        | Approved                                                         |               |                                               |
| PSCO                               | Completed                                                        |               |                                               |
| TOP engineering                    | Approved.                                                        |               | No referral sent                              |

### **VII. CONCLUSION**

The proposed rezoning, sketch and preliminary plans add 12.2 unplatted acres located north of the original Olde Town at Parker development.

The PD amendment will result in an increase to overall density of less than one dwelling

unit per acre and does not preclude the applicant's ability to meet the landscaping, open space or park dedication requirements.

The sketch and preliminary plans propose 48 townhome lots and one 5.236-acre lot that will be developed into three condominium buildings containing 108 dwelling units, for a total of 156 residential units. The applicant currently has a Site Plan in the review process. Additionally, the applicant will reconfigure two adjacent commercial lots and the existing drainage facilities. The applicant has demonstrated compliance with the requirements of the Land Development Ordinance for Sketch and Preliminary Plans.

This proposal is consistent with the Parker 2035 Master Plan which identifies this area as Medium Density Residential and within a Neighborhood Center. The uses, density and overall design considerations recommended for this district are consistent with the proposed PD and with the nine approval criteria for rezoning requests.

Therefore, staff is recommending that the Planning Commission recommend Town Council approval of the Olde Town at Parker PD Guide- 3rd Amendment. Staff also recommends Town Council approval of the Olde Town at Parker Filing 2 Sketch and Preliminary Plans.

#### **VIII. RECOMMENDED CONDITIONS**

1. *Utility easements as requested by Public Service Company of Colorado, IREA and Parker Water and Sanitation District must be shown on the Final Plat.*
2. *The applicant shall meet required setbacks and zoning within the Planned Development Guide.*

#### **IX. ATTACHMENTS**

##### **Zoning**

1. Draft Ordinance No. 3.162.3
2. Referral Agency Comments

##### **Sketch and Preliminary Plans**

3. Sketch and Preliminary Plans
4. Referral agency comments
5. Applicant's Narrative

**Report Approved By: Bryce Matthews, Planning Manager**



**ORDINANCE NO. 3.162.3, Series of 2020**

**TITLE: A BILL FOR AN ORDINANCE TO AMEND THE OLDE TOWN AT PARKER PLANNED DEVELOPMENT GUIDE AND PLAN AND TO AMEND THE ZONING ORDINANCE AND MAP TO CONFORM THEREWITH**

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

**Section 1.** Finding of Fact.

a. Application has been made for amending the second amendment to the Olde Town at Parker Planned Development Guide and Plan that was approved by the Town Council on March 20, 2017, and recorded at Reception No. 2017023571 of the Office of the Douglas County Clerk and Recorder's Office, for the real property described in attached **Exhibit 1**, which is attached hereto and incorporated by this reference, pursuant to the Parker Land Development Ordinance (the "Olde Town PD").

b. Public notice has been given for the amendment to the Olde Town PD by publication on the Town's website at least fifteen (15) days prior to the public hearing of such zoning.

c. Written notice was sent by first class mail to all owners of property that abut the Property, at least fifteen (15) days prior to the public hearing.

d. Notice of such proposed hearing was posted on the property for fifteen (15) consecutive days prior to said hearing.

e. The requirements contained in Section 13.04.240 of the Parker Municipal Code for approving the amendment to the Olde Town PD have been satisfied.

**Section 2.** The Olde Town PD approved by the Town Council on March 20, 2017, for the real property described in Exhibit 1, is hereby amended by the Third Amendment to the Olde Town at Parker Planned Development Guide and Plan as set forth in **Exhibit 2**, which is attached hereto and incorporated by this reference.

**Section 3.** Approval of this Ordinance does not create a vested property right. Vested property rights may arise and accrue, pursuant to the provisions of Ordinance No. 3.65.1, as amended, of the Town of Parker.

**Section 4.** 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 5.** 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 6.** This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
James S. Maloney, Town Attorney

OLDE TOWN AT PARKER PLANNED DEVELOPMENT AMENDMENT

EXHIBIT 1

LAND DESCRIPTION

A PARCEL OF LAND IN THE WEST HALF OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21, THENCE N00°20'54"W ALONG THE WESTERLY LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING;

THENCE N00°20'54"W ALONG SAID WESTERLY LINE, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED IN BOOK 753 PAGE 617, A DISTANCE OF 302.18 FEET;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED RECEPTION NUMBERS 2002116352 AND 2003092239 THE FOLLOWING SEVEN (7) CONSECUTIVE COURSES;

1. N03°27'57"E A DISTANCE OF 117.25 FEET;
2. THENCE N89°39'06"E A DISTANCE OF 19.21 FEET;
3. THENCE N00°20'54"W A DISTANCE OF 1016.14 FEET TO A POINT OF CURVATURE;
4. THENCE 137.41 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 09°00'29", A RADIUS OF 874.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 137.27' FEET TO A POINT OF TANGENCY;
5. THENCE N08°39'35"E A DISTANCE OF 289.60 FEET TO A POINT OF CURVATURE;
6. THENCE 164.14 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 09°00'29", A RADIUS OF 1044.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 163.97 FEET TO POINT OF TANGENCY;
7. THENCE N00°20'54"W A DISTANCE OF 296.99 FEET TO A POINT OF CURVATURE;

THENCE 78.60 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 90°03'52", A RADIUS OF 50.00 FEET AND A CHORD WHICH BEARS N44°41'02"E A DISTANCE OF 70.75 FEET TO A POINT OF TANGENCY ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST MAIN STREET AS RECORDED AT RECEPTION NUMBERS 2002116352 AND 2003092239;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) CONSECUTIVE COURSES;

1. N89°42'58"E A DISTANCE OF 363.74 FEET TO A POINT OF CURVATURE;
2. THENCE 278.26 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 10°30'50", A RADIUS OF 1516.39 FEET AND A CHORD WHICH BEARS N84°27'33"E A DISTANCE OF 277.87 FEET;
3. THENCE N10°47'52"W A DISTANCE OF 15.00 FEET;
4. THENCE 181.43 FEET ALONG THE ARC OF NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE 06°55'25", A RADIUS OF 1501.39 FEET AND A CHORD WHICH BEARS N75°44'25"E A DISTANCE OF 181.32 TO A POINT ON THE NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID NORTHERLY LINE, N89°42'58"E A DISTANCE OF 100.15 FEET;

THENCE N00°23'18"W A DISTANCE OF 2.02 FEET TO A POINT ON THE SOUTHERLY LINE OF CLARKE FARMS SUBDIVISION, FILING NO. 2A AS RECORDED AT RECEPTION NO. 9306811;

THENCE ALONG SAID SOUTHERLY LINE, THE FOLLOWING SIX (6) CONSECUTIVE COURSES;

1. N89°36'42"E A DISTANCE 258.06 FEET;
2. THENCE N89°35'34"E A DISTANCE OF 117.35 FEET;
3. THENCE S00°19'07"E A DISTANCE OF 27.35 FEET;
4. THENCE N89°30'01"E A DISTANCE OF 50.01 FEET;

5. THENCE N00°19'07"W A DISTANCE OF 27.27 FEET
6. THENCE N89°35'34"E A DISTANCE OF 233.63 FEET TO A POINT ON THE WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3 AS RECORDED AT RECEPTION NUMBER 2013010637.

THENCE ALONG SAID WESTERLY LINE S00°24'26"E A DISTANCE OF 3.35 FEET TO A POINT ON SAID NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3, S00°02'02"E A DISTANCE OF 682.11 FEET TO A POINT ON THE NORTHERLY LINE OF OLDE TOWN AT PARKER FILING NO. 1B-2 AS RECORDED AT RECEPTION NUMBER \_\_\_\_\_;

THENCE ALONG SAID NORTHERLY LINE N89°34'55"E A DISTANCE 644.54 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH MOTSENBOCKER ROAD AS RECORDED AT RECEPTION NUMBERS 2002116352 AND 2017075212;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING FOURTEEN (14) CONSECUTIVE COURSES;

1. S00°02'02"E A DISTANCE OF 77.50 FEET TO A POINT OF CURVATURE;
2. THENCE 172.69 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 590.00 FEET, A CENTRAL ANGLE OF 16°46'12" AND A CHORD WHICH BEARS S08°25'08"E A DISTANCE OF 172.07 FEET TO A POINT OF TANGENCY;
3. THENCE S16°48'14"E A DISTANCE OF 30.84 FEET;
4. THENCE N72°41'42"E A DISTANCE OF 3.59 FEET;
5. THENCE S15°53'49"E A DISTANCE OF 301.80 FEET;
6. THENCE S10°18'46"E A DISTANCE OF 71.94 FEET;
7. THENCE S15°53'49"E A DISTANCE OF 79.96 FEET;
8. THENCE S16°36'56"E A DISTANCE OF 387.85 FEET TO A POINT OF CURVATURE;
9. THENCE 55.13 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 535.00 FEET, A CENTRAL ANGLE OF 05°54'15" AND A CHORD WHICH BEARS S13°39'48"E A DISTANCE OF 55.11 FEET;
10. THENCE 20.12 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 510.00 FEET, A CENTRAL ANGLE OF 02°15'37" AND A CHORD WHICH BEARS S01°48'01"E A DISTANCE OF 20.12 FEET TO A POINT OF TANGENCY;
11. THENCE S00°40'13"E A DISTANCE OF 598.66 FEET;
12. THENCE S00°33'44"E A DISTANCE OF 182.24 FEET;
13. THENCE 3.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5.00 FEET, A CENTRAL ANGLE OF 37°56'39" AND A CHORD WHICH BEARS S18°24'35"W A DISTANCE OF 3.25 FEET TO A POINT OF TANGENCY;
14. THENCE S37°22'55"W A DISTANCE OF 31.26 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID SOUTHERLY LINE, S89°26'16"W A DISTANCE OF 345.53 FEET TO A POINT ON THE EASTERLY LINE OF A PARCEL OF LAND RECORDED AT BOOK 131, PAGE 102;

THENCE ALONG THE EASTERLY AND NORTHERLY LINE OF SAID PARCEL THE FOLLOWING TWO (2) CONSECUTIVE COURSES;

1. N00°40'14"W A DISTANCE OF 210.00 FEET;
2. THENCE S89°26'16"W A DISTANCE OF 2269.52 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID JORDAN ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING.

PARCEL CONTAINS 127.453 ACRES OR 5,551,834 SQUARE FEET MORE OR LESS.

ALL LINEAL DISTANCES ARE IN U.S. SURVEY FEET.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN ASSUMED TO BEAR S00°20'54"E AND BEING MONUMENTED BY A FOUND 2" ALUMINUM CAP IN RANGE BOX PLS #13487 AT THE WEST QUARTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #25645 AT THE SOUTHWEST CORNER.

PREPARED BY AUGUSTUS TERRY  
FOR AND ON BEHALF OF  
MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, COLORADO 80215  
303-431-6100  
NOVEMBER 20, 2018

## **EXHIBIT 2**

### **OLDE TOWN AT PARKER A TRADITIONAL NEIGHBORHOOD DEVELOPMENT**

Original: August 27, 2003

2<sup>nd</sup> Revision: April 3, 2017

3<sup>rd</sup> Revision: May 29, 2020

Prepared by: Norris Design

### **Third Amendment to Planned Development Guide**

# PD Guide Index

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OLDE TOWN AT PARKER  
A TRADITIONAL NEIGHBORHOOD DEVELOPMENT

Planned Development Guide

INTRODUCTION

**A. Statement of Purpose**

Update: September 23, 2019

Olde Town at Parker is a traditional neighborhood development encompassing approximately 127.45 acres. It is located east of Jordan Road, west of Motsenbocker Road, north of Todd Drive and south of Mainstreet.

The development was originally approved in 2003 and approximately half of the development was built out by 2015. In 2017 the remainder of the development was purchased by Pacific North LLC, was consequently sold to Meritage Homes and is currently under construction. A second amendment to the Planned Development Guide was approved at that time that reflected the resulting changes to the layout and housing types within the development. This, the third Planned Development Guide Amendment will reflect the inclusion of two new planning areas PA-9 and PA-10. The Olde Town at Parker Development Plan incorporates a mix of land uses bisected by a local trail system that will connect to a regional trail facility along the north side of Todd Drive. The development is based upon the traditional walking village concept of pedestrian-friendly tree-lined local streets, utilizing detached sidewalks on both sides of public streets, and complementary and compatible land uses. The entire project is connected together with pocket parks, a neighborhood center, greenways and the public sidewalk system. Most areas within the neighborhood are located within a quarter-mile of one another, to encourage residents to walk within the community and reduce dependence on the automobile for daily trips.

The development has been designed to include a variety of housing types, retail and service commercial, and community facilities to achieve a balance and reasonably self-sufficient community for families of all ages, sizes, and levels of income, but the focus of most housing will be to serve families and the active adult market. The housing opportunities include traditional single family detached homes, single family cluster homes, single family attached homes, condominiums, and duplexes. To accommodate a variety of housing types, each planning area varies in topography, size, population and street layout. The Commercial Center will be located at the southeast corner of Jordan Road and Main Street, and will be accessible by automobile, primarily from Jordan Road for pass-by-traffic and by detached walkway system of pedestrian trails and bikeways.

The open space system for the Olde Town at Parker development includes a significant central park with open space, landscaping, an outdoor pool and pool house. The park will be connected to the neighborhood by a series of neighborhood trails. All residences within the development are located within a quarter-mile (5 minute walk) of the central neighborhood park. The entire development is linked together through a public open space park-system of sidewalks and trails.

The purpose of this Development Plan and Development Guide is to establish standards for the comprehensive development and improvement of the property. The standards contained in this Development Guide are intended to carry out the goals of this planned community. They are also intended to ensure a unified high-quality community for its residents.

## **B. Definitions**

Unless otherwise stated herein, all provisions of and definitions found in the definitions section of the Parker Land Development Code, as amended, shall apply. The following definitions are provided for clarification of the uses proposed by this Development Guide.

- 1. Cluster Homes:**  
Detached or attached homes owned in the fee title conveyed by lot or building envelope in conjunction with common open space owned and maintained by a homeowners association.
- 2. Condominiums:**  
Condominium units are conveyed by unit numbers within a condominium homeowner association in conjunction with common ownership of all common facilities.
- 3. Duplex Homes:**  
Detached building on a single parcel containing two (2) dwelling units, designed for or used as dwellings exclusively by two (2) families, each living as an independent housekeeping unit.
- 4. Multi-Family:**  
A building that contains condominium units.
- 5. Single Family Attached Homes:**  
Attached homes (Townhomes) owned in the fee title conveyed by lot or building envelopes in conjunction with common open space owned and maintained by a homeowner's association.
- 6. Single Family Detached Homes:**  
Single family detached homes on fee title/simple lots.

## **C. Legislative Intent**

It is the intent of this Development Guide is to be consistent with, and to assist in implementation of the Town of Parker Land Development Code, as amended, to:

1. Encourage innovations in development so that the residents may enjoy a greater variety in type, design and layout for buildings and by the conservation and more efficient use of open space ancillary to said buildings;
2. Encourage a more efficient use of land and public services, and/or private services to provide benefit to those who desire having in a pedestrian-oriented neighborhood;
3. Minimize the burden of traffic on streets and highways;
4. Conserve and enhance the value of the land;
5. Provide a procedure, which can relate the type and layout of the building development to the particular site, thereby encouraging preservation of the site's natural characteristics; and encourage integrated planning in order to achieve the above purposes.

## **D. Application**

These Standards shall apply to all property contained within the Olde Town of Parker PD as shown on the Development Plan and this Development Guide. These zoning regulations and requirements shall become the governing standards for review, approval and modification of all uses occurring on the site.

Provisions of this guide shall prevail and govern the uses of the site, however, this Guide only supersedes the specific zoning category, not the Town of Parker's Land Development Code as amended. The zoning codes and regulations for the Town of Parker shall apply where the provisions of this guide do not address a specific subject; or where there is a conflict in which case the Town of Parker Land Development Code prevails.

**E. Authority**

The authority of this Development Guide is Chapter 13.04.150 (PD-Planned Development) of the Town of Parker Land Development Code as amended.

**F. Adoption**

Reference: Chapter 13.04.150 (PD-Planned Development) of the Town of Parker Land Development Code as amended.

**G. Relationship of Town Regulations**

The provisions of this Development Guide shall prevail and govern development of the Olde Town at Parker PD to the extent provided by the Town of Parker Land Development code, as amended, except where the provisions of the Development Guide do not clearly address a specific subject, or where there is a conflict. In such a case the provisions of the Town of Parker Land Development Code, or any other codes or regulations of the Town of Parker shall prevail, when applicable.

**H. Enforcement**

The provisions of the Development Guide relating to the use of land shall run in favor of the Town of Parker and shall be enforceable, at law or in equity, by the Town of Parker. All provisions of this Development Guide shall run in favor of the residents, occupants or owners of the land on which the Olde Town of Parker PD is located to the extent expressly provided in this Development Guide and in accordance with its terms and conditions, the codes of the Town of Parker, and, where applicable, State Law.

**I. Additions**

The addition of appropriately zoned land to Olde Town at Parker PD shall be considered a zoning amendment and shall be subject to the procedures and requirements contained in the Town of Parker Land Development Code, as amended.

**CONTROL PROVISIONS**

**A. Control Over Use**

After adoption of this Development Guide by the Town Council:

1. Any new building or other structure, and any parcel of land may be used;
2. The use of any existing building, other structure, or parcel of land may be changed or extended as provided for in this Development Guide; and
3. Any existing building or other structure may be enlarged, reconstructed, structurally altered, converted or relocated, for any purpose permitted or required by the provisions of this Development Guide applicable to the area in which such building, other structure or parcel of land is located. Such use, change, extension, enlargement, reconstruction, structural alteration, conversion or relocation shall be subject to all standards

and requirements set forth or referred to in the standards and requirements for that area, and to any other applicable standards and requirements of this Development Guide and Development Plan.

#### **B. Control Over Location and Bulk**

After the adoption of this Development Guide by the Town Council, the location and bulk of all buildings and other structures built after the effective date of the Development Guide, shall be in conformance with:

1. All applicable standards contained within the Development Plan and Guide; and
2. Any other applicable standards of the Land Development Code, as amended where such standards are not specifically addressed in or are in conflict with the Development Plan Guide.

#### **C. Incorporation of Development Plan**

The plan for development of the Olde Town at Parker PD including the type, location and boundaries of land use areas is shown upon the Olde Town at Parker PD Development Plan, which is attached as Exhibit A and is hereby incorporated by reference into this Development Guide.

### **GENERAL PROVISIONS**

#### **A. Purpose**

The purpose of this section is to establish general provisions and clarify standards and requirements for development which may occur in the Olde Town at Parker PD.

#### **B. Planning Area Boundaries**

The boundaries and acreage of all Planning Areas within the Olde Town at Parker PD are shown on the Olde Town at Parker Development Plan. Where a Planning Area abuts an internal street drive, the boundary shall be the right-of-way of that street as indicated on the PD Development Plan. Where a Planning Area abuts another Planning Area, the boundary shall be shown as on the Olde Town at Parker PD Development Plan. Changes in the boundaries and acreage of Planning Areas shall be permitted as follows:

1. The size of any Planning Area may increase or decrease (by a minimum of 15%) after final determination, through the platting process, of the alignment of any of the streets and drives, open space areas, shown on the Olde Town at Parker PD Development Plan, subject to the Parker Land Development Code, as amended.
2. No amendment to this Development Guide shall be required for an increase and/or decrease in Planning Area boundaries internal to the site which results in changes to those areas amounting to less than 15% of the area of each such area. However, the developer shall keep and submit accurate records of such boundary revisions and shall inform the Town of the same, as required by the planning director if the modification is determined to be minor.
3. Any request for a Planning Area to increase or decrease by more than 15% of its size shown on the Development Plan shall be processed as a zoning amendment in accordance with of the Town of Parker Land Development Code.
4. The final boundary of any Planning Area shall be established when the final plat is prepared for that area.

### **C. Utility Connections**

Approval for connection to the Parker Water and Sanitation District (the "District") facilities or other appropriate utility system shall be required for each principal building to be constructed under the terms of this Development Guide within the Olde Town at Parker PD and notice of such approval shall be provided to the Town building inspector.

### **D. Agricultural Uses**

Agricultural activities and uses, except livestock and poultry, and all accessory structures and uses which are customarily incidental or appropriate to farming and ranching shall be permitted within Olde Town at Parker PD prior to but not during the phased development of the total project, subject to the Parker Land Development Code.

### **E. Utility Requirements**

Telephone lines, electric lines, electrical distribution lines, cable TV lines and other like utility services shall be placed underground. Transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts shall not be placed above ground and shall be screened as appropriate (at the time of site plan development). Equipment permitted above ground shall not be placed within the required sight triangles needed for safe traffic visibility.

### **F. Dedication Requirements**

All dedications of Public Facilities, including but not limited to Park and Open Space lands, roadways, utility easements, drainage facilities and easements shall be made at the time of Final Plat for the specific Planning Area, except as otherwise provided in the annexation agreement for the site.

### **G. Application of Town of Parker Design Guidelines for Single Family, Multiple Family and Commercial Development**

The Design Standards included in the Town of Parker Development Design Standards, as amended, are in addition to these standards and requirements identified in the land Development Code and these PD Development Standards. These standards shall be used when preparing site plans and architectural plans for new development. In the event there is a conflict between the design standard described herein and the Town of Parker Development Design Standards, the Town's Guidelines shall control. These 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's Master Plan. The Standards address the following: (1) site design standards such as adjacent sensitivity, site development, building location and orientation access, and screening; and (2) architectural standards, such as mass and scale, architectural elements, colors and roofing. The goal is to provide high quality building materials and landscaping which is in concert with the surrounding development.

## **DEVELOPMENT STANDARDS**

### **SECTION 1 – SINGLE FAMILY DETACHED RESIDENTIAL – PLANNING AREAS (PA) 4 AND 7**

#### **SEC. 1-10      Description**

Single Family Detached Residential Area herein called "SFD" will have a total of approximately 56.27 acres and a maximum density of 4.35 dwelling units per acre, for a total of 245 dwelling units (119 dwelling units exist within PA-7).

**SEC. 1-20 Intent**

1. Provide flexibility to adjust to changes in housing trends and patterns. Encourage diversity within the development of Olde Town at Parker through a variety of housing densities and associated lifestyles.
2. Improve the environment by requiring adequate landscaping.

**SEC. 1-30 Uses Permitted**

1. Single family detached dwellings with front, side or alley load garages;
2. Accessory structures and uses necessary and customarily incidental to a permitted use including detached garages;
3. Private open space and recreation facilities;
4. Public and quasi-public facilities;
5. Temporary sales trailers, model homes, and show home complexes and accessory uses; and
6. Temporary construction yards and construction office, to be removed upon completion of the development;
7. Places of religious assembly

**SEC. 1-40 Uses Permitted by Special Review**

1. Water wells and appurtenances

**SEC. 1-50 Development Standards**

|                                                                                |                                                                 |
|--------------------------------------------------------------------------------|-----------------------------------------------------------------|
| <b>Total Acreage</b>                                                           | 56.27 Acres                                                     |
| <b>Maximum Allowable Density</b>                                               | 4.35 DU/AC                                                      |
| <b>Minimum Lot Area (sq. ft.)</b>                                              | 4,500sq. ft.                                                    |
| <b>Maximum Building Height</b>                                                 | 35 feet                                                         |
| <b>Minimum Lot Width</b>                                                       |                                                                 |
| • <b>At the street:</b>                                                        | 40 feet                                                         |
| • <b>At the front building wall:</b>                                           | 45 feet                                                         |
| • <b>At cul-de-sac, or similarly curved roads and flag lots at the street:</b> | 20 feet                                                         |
| <b>Primary Building Front Setback (from local street right-of-way):</b>        | 18 feet to face of garage                                       |
|                                                                                | 10 feet to face of home                                         |
|                                                                                | 10 feet to a covered porch without having space above the porch |
| <b>Primary and Accessory Structure Side Setback:</b>                           | 5 feet                                                          |
| <b>Primary Structure Rear Setback:</b>                                         | 15 feet                                                         |
| <b>Detached Garage Structure Rear Setback</b>                                  | 5 feet                                                          |
| <b>Corner Lot Side Setback (from local street right-of-way)</b>                | 10 feet to side of structure                                    |
|                                                                                | 18 feet to garage if side entry                                 |
| <b>Minimum Building Separation (does not include overhangs)</b>                | 10 feet                                                         |

1. Encroachments: Cantilevers and roof overhangs may encroach the setback a maximum of 18 inches.
2. Decks and patios 30 inches or less above grade may be located in the rear setback. Decks, above 30 inches above grade may encroach the rear setback provided they are no closer than five feet to the rear property line when there is a detached garage in the rear of the lot and 10 feet when the garage is attached to the home and front or side loaded.

#### **SEC. 1-60          Design Guidelines**

1. Staggered setbacks are required. The front building setback of one (1) lot shall be varied by a minimum of two (2) feet from the front building setback of any home within two (2) lots on either side of the subject lot in accordance with the Town of Parker Residential Design Criteria - Sec.13.10.161 (g) of the Town of Parker Land Development Code, as amended.
2. Front porches are encouraged and may be set back a minimum of 10 feet from the right-of-way when there is no having space above the porch.
3. All units shall have a clearly defined front yard. The builder / developer / owner shall submit plans for landscaping, hedging, fencing, or a brick or stone wall, which must be approved by architectural control committee prior to installation.
4. All single family detached homes must be located with the first floor above the adjacent sidewalk.
5. Front yard landscaping shall be required for all single family detached lots and shall conform to Town of Parker minimum landscape requirements as stated in Section13.10.161 (f) of the Town of Parker Land Development Code, as amended.
6. Two (2) car garages (minimum) shall be required.

### **SECTION 2 – SINGLE FAMILY CLUSTER RESIDENTIAL – PLANNING AREA (PA) 3**

#### **SEC. 2-10          Description**

The Single Family Residential Cluster Areas herein called "Cluster Homes" will have a total of approximately 7.38 acres and a maximum density of 10.03 dwelling units per acre for a total of 74 units.

#### **SEC. 2-20          Intent**

The Single Family Cluster homes proposed in the Olde Town at Parker may include a number of housing types, depending on market conditions and new unit types available. It is intended, however, that these predominately single family cluster developments not just be conventional single family residences, but unique neighborhoods with functional amenities and innovative unit types. The objective of the cluster development is to group various types of units creating communal open space, increasing privacy, improving Residential environments, and creating additional view corridors to amenities. Forms of clustering units may include, but not be limited to: an active adult community, zero lot line homes which create a more useable yard space, "keyhole" lots, wide and shallow, attached, detached "Lifestyle" full exterior maintenance homes, "Z" lots, flag lots, wedge lots, clustering of units on a common court, alley access homes, patio homes with the outdoor having space focused around a patio area and a variety of attached unit types such as duplexes, triplexes and town homes.



**SEC. 2-30 Purpose**

1. To provide flexibility in adjusting to changes in housing trends and patterns, while maintaining compatibility with surrounding lower density development.
2. To ensure that high standards of siting and the optimum use of available land are applied throughout the project phases.
3. To provide a variety of housing styles around featured amenities, in a substantially maintenance free environment.
4. To maintain or enhance the inherent natural features of the site, especially the drainage corridors and, to the extent possible, provide recreation, leisure and community areas for the residents of Olde Town at Parker cluster homes.
5. To provide cluster development, which in contrast to conventional development, will allow for a greater percentage of the land to be allotted to common areas and elements, and will reduce the amount of street by grouping the residential units together.

**SEC. 2-40 Uses Permitted**

1. Single family dwellings, attached and / or detached and condominiums
2. Private recreational facility;
3. Accessory structures and uses necessary and customarily incidental to a permitted use;
4. Public recreation facilities;
5. Public and quasi-public facilities;
6. Temporary sales trailers, model homes, and show home complexes and accessory uses; and
7. Temporary construction yards and construction office, to be removed upon completion of the development.
8. Places of religious assembly.

**SEC. 2-50 Uses Permitted by Special Review**

1. Water wells and appurtenances

**SEC. 2-60 Development Standards**

|                                                   |                                                                |
|---------------------------------------------------|----------------------------------------------------------------|
| <b>Total Acreage</b>                              | 7.38 Acres                                                     |
| <b>Maximum Allowable Density</b>                  | 10.03 DU/AC                                                    |
| <b>Maximum Building Height</b>                    | 35 feet                                                        |
| <b>Building Setbacks</b>                          |                                                                |
| • From local street right-of-way:                 | 10 feet to the structure                                       |
|                                                   | 18 feet to the face of the garage                              |
| • From private drive/court:                       | 3 feet (no parking in driveway if less than 18 feet in length) |
| • From arterial or collector street right-of-way: | 25 feet                                                        |
| • From north property boundary:                   | 12 feet                                                        |
| • From private lot lines:                         | 3 feet (7 feet between structures)                             |
| <b>Minimum Building Separation:</b>               | 7 feet                                                         |

|                                  |         |
|----------------------------------|---------|
| • <b>Rear to side:</b>           | 7 feet  |
| • <b>Rear to rear:</b>           | 10 feet |
| • <b>Side to side:</b>           | 7 feet  |
| • <b>Corner to side or rear:</b> | 7 feet  |
| • <b>Front to front:</b>         | 20 feet |
| • <b>Front to side:</b>          | 7 feet  |

1. All improvements must be setback a minimum of 10 feet from the Planning Area boundary.
2. Encroachments: Cantilevers and roof overhangs may project into the required setback or building separation no more than 18 inches where permitted by building code.

#### **SEC. 2-70      Design Guidelines**

1. Individual lots and Buildings shall be arranged and situated to relate to surrounding properties.
2. Diversity and originality in a lot layout and individual building design shall be encouraged to achieve a more compatible relationship between development and the land.
3. Single Family Cluster, herein called Cluster Homes shall be a place to live, in which open space is concentrated, rather than dispersed, and maintained for the benefit of all that live there. Roads may be private, but will be built to the Town of Parker standards, and facilities and structures may be maintained by an association for the benefit of one and all. Due to anticipated variety and type of residential product, minimum street frontage, building area and lot size will be determined at time of Final Plat/Site Plan.
4. Off-street parking may be allowed within setbacks but shall not compromise landscaping and other buffering measures or sidewalks
5. The design of any structure / development shall be a "360-degree" design, i.e., any elevation of a building shall be architecturally "finished" to a similar degree.
6. Attached units which share a common wall, shall meet all applicable fire protection requirements.
7. Attached units which share a common wall must meet the development standards of the Single Family Attached District.
8. Minimum lot size will be determined based upon platting. A condominium plat will be required for the property, or the property will be limited to 1 dwelling unit per lot.

### **SECTION 3 – SINGLE FAMILY ATTACHED RESIDENTIAL – PLANNING AREAS (PA) 2 AND 10**

#### **SEC. 3-10      Description**

The Single Family Residential Attached Area herein called "SFA" will have a total of approximately 10.65 acres (4.76 acres in PA-2, 5.89 acres in PA-10) and a maximum density of 11.08 dwelling units per acre for a total of 118 allowed dwelling units.

#### **SEC. 3-20      Intent**

The Single Family Attached area shall be a place to live in which open space is concentrated, rather than dispersed, and maintained for the benefit of all whom live there. Roads may be private, but built to Town of Parker design standards. These facilities and structures may be maintained by an association for the benefit of one and all. This

use area will consist of attached townhouse type units, patio/ cluster units (closely grouped detached and/or attached homes), duplexes, and/or stacked flats (condominium units). The purpose of the Attached Homes is as follows:

1. To provide flexibility in adjusting to changes in housing trends and patterns, while maintaining compatibility with surrounding lower density development.
2. To ensure that high standards of siting and the optimum use of available land are applied.
3. To provide a variety of living styles around featured amenities, in a substantially maintenance-free environment.
4. Cluster development, which in contrast to conventional development, will allow for a greater percentage of the land to be allotted to common areas and elements, and will reduce the amount of streets by grouping the residential units together.

#### **SEC. 3-30 Uses Permitted**

1. Single family dwellings, attached, town homes, duplexes, and/or detached cluster homes;
2. Private recreational facility;
3. Accessory structures and uses necessary and customarily incidental to a permitted use;
4. Public recreation facilities;
5. Public and quasi-public facilities;
6. Temporary sales trailers, model homes, and show home complexes and accessory uses; and
7. Temporary construction yards and construction office, to be removed upon completion of the development.
8. Places of religious assembly.

#### **SEC. 3-40 Uses Permitted by Special Review**

1. Water wells and appurtenances

#### **SEC. 3-50 Development Standards**

|                                                                                                     |                                                                |
|-----------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| <b>Total Acreage</b>                                                                                | 10.65 Acres                                                    |
| <b>Maximum Allowable Density</b>                                                                    | 11.08 DU/AC                                                    |
| <b>Maximum Building Height</b>                                                                      | 40 feet                                                        |
| <b>Building Setbacks</b>                                                                            |                                                                |
| <ul style="list-style-type: none"> <li>• From local street right-of-way:</li> </ul>                 | 10 feet to the structure                                       |
|                                                                                                     | 18 feet to the face of the garage                              |
| <ul style="list-style-type: none"> <li>• From private drive/court/alley:</li> </ul>                 | 2 feet (no parking in driveway if less than 18 feet in length) |
| <ul style="list-style-type: none"> <li>• From arterial or collector street right-of-way:</li> </ul> | 20 feet                                                        |
| <ul style="list-style-type: none"> <li>• Adjacent to Single Family Detached Residential:</li> </ul> | 15 feet                                                        |
| <b>Minimum Building Separation:</b>                                                                 |                                                                |
| <ul style="list-style-type: none"> <li>• Rear to side:</li> </ul>                                   | 12 feet                                                        |
| <ul style="list-style-type: none"> <li>• Rear to rear:</li> </ul>                                   | 20 feet                                                        |

|                           |         |
|---------------------------|---------|
| • Side to side:           | 10 feet |
| • Corner to side or rear: | 10 feet |
| • Front to front:         | 20 feet |
| • Front to side:          | 12 feet |

1. All improvements must be setback a minimum of 10 feet from the Planning Area boundary.
2. Encroachments: Cantilevers and roof overhangs may project into the required setback or building separation no more than 18 inches where permitted by building code.

#### **SEC. 3-60 Design Guidelines**

1. Due to anticipated variety and type of residential product street frontage, building area and lot size will be determined at time of Final Plat/Site Plan.
2. Off-street parking may be allowed within setbacks but shall not compromise landscaping and other buffering measures.
3. The design of any structure / development shall be a "360-degree" design, i.e., any elevation of a building shall be architecturally "finished" to a similar degree.
4. Attached units which share a common wall shall meet all applicable fire protection requirements.
5. Minimum lot size will be determined based upon platting. A condominium plat will be required for property within this Planning Area, or the property will be limited to 1 Dwelling Unit per lot.

### **SECTION 4 – DUPLEX RESIDENTIAL – PLANNING AREAS (PA) 5 AND 6**

#### **SEC. 4-10 Description**

The Duplex Residential area will have a total of approximately 13.88 acres (3.84 acres in PA-5, 10.04 acres in PA-6) and a maximum density of 10 units per acre for a maximum total of 104 dwelling units in Planning Areas PA 5 and 6.

#### **SEC. 4-20 Intent**

The Duplex Residential area shall be a place to live in which open space is concentrated, rather than dispersed, and maintained for the benefit of all whom live there. Roads may be private, but built to Town of Parker design standards. These facilities and structures may be maintained by an association for the benefit of one and all. This use area will consist of attached townhouse type units, patio/ cluster units (closely grouped detached and/or attached homes), duplexes, and/or stacked flats (condominium units). The purpose of the Attached Homes is as follows:

1. To provide flexibility in adjusting to changes in housing trends and patterns, while maintaining compatibility with surrounding lower density development.
2. To ensure that high standards of siting and the optimum use of available land are applied.
3. To provide a variety of living styles around featured amenities, in a substantially maintenance-free environment.
4. Cluster development, which in contrast to conventional development, will allow for a greater percentage of the land to be allotted to common areas and elements, and will reduce the amount of streets by grouping the residential units together.

**SEC. 4-30 Uses Permitted**

1. Single family dwellings, attached, town homes, stacked flats (condominiums), duplexes, and/or detached cluster homes;
2. Private recreational facility;
3. Accessory structures and uses necessary and customarily incidental to a permitted use;
4. Public recreation facilities;
5. Public and quasi-public facilities;
6. Temporary sales trailers, model homes, and show home complexes and accessory uses; and
7. Temporary construction yards and construction office, to be removed upon completion of the development.
8. Places of religious assembly.

**SEC. 4-40 Uses Permitted by Special Review**

1. Water wells and appurtenances

**SEC. 4-50 Development Standards**

|                                                          |                                                   |
|----------------------------------------------------------|---------------------------------------------------|
| <b>Total Acreage</b>                                     | 13.88 Acres                                       |
| <b>Maximum Allowable Density</b>                         | 10 DU/AC                                          |
| <b>Maximum Building Height</b>                           | 35 feet                                           |
| <b>Building Setbacks</b>                                 |                                                   |
| • <b>From local street right-of-way:</b>                 | 10 feet to the structure                          |
|                                                          | 18 feet to the face of the garage                 |
| • <b>From private drive/court/alley:</b>                 | Driveway must be $\leq 5$ feet or $\geq 18$ feet. |
| • <b>From arterial or collector street right-of-way:</b> | 20 feet                                           |
| • <b>Adjacent to Single Family Detached Residential:</b> | 15 feet                                           |
| <b>Minimum Building Separation:</b>                      |                                                   |
| • <b>Rear to side:</b>                                   | 12 feet                                           |
| • <b>Rear to rear:</b>                                   | 20 feet                                           |
| • <b>Side to side:</b>                                   | 10 feet                                           |
| • <b>Corner to side or rear:</b>                         | 10 feet                                           |
| • <b>Front to front:</b>                                 | 20 feet                                           |
| • <b>Front to side:</b>                                  | 12 feet                                           |

1. There will be a minimum residential setback from commercial areas of 15 feet to include vegetative screening of coniferous trees and a private fence on either the commercial or residential lot.

**SEC. 4-60          Design Guidelines**

1. Due to anticipated variety and type of residential product street frontage, building area and lot size will be determined at time of Final Plat/Site Plan. Setbacks will not inhibit ability to achieve desired density.
2. Off-street parking may be allowed within setbacks but shall not compromise landscaping and other buffering measures.
3. The design of any structure / development shall be a "360-degree" design, i.e., any elevation of a building shall be architecturally "finished" to a similar degree.
4. Attached units which share a common wall shall meet all applicable fire protection requirements.
5. Minimum lot size will be determined based upon platting. A condominium plat will be required for property within this Planning Area, or the property will be limited to 1 Dwelling Unit per lot.

**SECTION 5 – MULTI-FAMILY RESIDENTIAL – PLANNING AREA (PA) 9****SEC. 5-10          Description**

The Multi-Family Residential area will have a total of approximately 6.27 acres and a maximum density of 17.22 units per acre for a maximum total of 108 dwelling units in this Planning Area.

**SEC. 5-20          Intent**

The Multi-Family Residential area shall be a place to live in which open space is concentrated, rather than dispersed, and maintained for the benefit of all whom live there. Roads may be private, but built to Town of Parker design standards. These facilities and structures will be maintained by an association for the benefit of one and all. This use area will consist of attached townhouse type units, patio/ cluster units (closely grouped detached and/or attached homes), duplexes, and/or stacked flats. The purpose of the multi-family district is as follows:

1. To provide flexibility in adjusting to changes in housing trends and patterns, while maintaining compatibility with surrounding lower density development.
2. To ensure that high standards of siting and the optimum use of available land are applied.
3. To provide a variety of living styles around featured amenities, in a substantially maintenance-free environment.
4. Cluster development, which in contrast to conventional development, will allow for a greater percentage of the land to be allotted to common areas and elements, and will reduce the amount of streets by grouping the residential units together.

**SEC. 5-30          Uses Permitted**

1. Single family dwellings, attached;
2. Townhomes;
3. Stacked flats;
4. Duplexes;
5. Detached cluster homes;
6. Private recreational facility;
7. Accessory structures and uses necessary and customarily incidental to a permitted use;

8. Public recreation facilities;
9. Public and quasi-public facilities;
10. Places of religious assembly.

**SEC. 5-40 Uses Permitted by Special Review**

1. Water wells and appurtenances

**SEC. 5-50 Development Standards**

|                                                                                                            |                                                               |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| <b>Total Acreage</b>                                                                                       | 6.27 Acres                                                    |
| <b>Maximum Allowable Density</b>                                                                           | 17.22 DU/AC                                                   |
| <b>Maximum Building Height</b>                                                                             | 45 feet                                                       |
| <b>Building Setbacks</b>                                                                                   |                                                               |
| <ul style="list-style-type: none"> <li>• <b>From local street right-of-way:</b></li> </ul>                 | 10 feet to the structure<br>18 feet to the face of the garage |
| <ul style="list-style-type: none"> <li>• <b>From private drive/court/alley:</b></li> </ul>                 | Driveway must be ≤ 5 feet or ≥ 18 feet.                       |
| <ul style="list-style-type: none"> <li>• <b>From arterial or collector street right-of-way:</b></li> </ul> | 20 feet                                                       |
| <b>Minimum Building Separation:</b>                                                                        | 10 feet                                                       |

1. All setbacks shall be in accordance with the Town of Parker's Development Design Standards

**SEC. 5-60 Design Guidelines**

1. Minimum lot size will be determined based upon platting. A condominium plat will be required for property within this Planning Area, or the property will be limited to 1 Dwelling Unit per lot.

**SECTION 6 – COMMERCIAL CENTER – PLANNING AREA (PA) 1**

**SEC. 6-10 Description**

The Commercial Center is a total of approximately 11.49 acres.

**SEC. 6-20 Intent**

The Olde Town at Parker Commercial Center or Neighborhood Shopping Village is located at the southeast intersection of Jordan Road and Mainstreet. This area is anticipated to serve the daily needs of the local neighborhood, offering a variety of goods and services. This area shall be configured to provide easy access to the neighborhoods they serve. The design of any use within the commercial shall be a "360 degree" design, i.e., every elevation of a building shall be architecturally "finished" to a similar degree. Likewise, within the building clusters, there shall be architectural compatibility with typical details, (i.e. directional signage, trash enclosures, rooftop mechanical screens etc.), similar building materials, color, massing, scale design details and pedestrian orientation. There shall also be a common landscape concept and a master circulation plan.

**SEC. 6-30        Uses Permitted**

The following uses are permitted in the Commercial Center:

1. Retail business activities, including, but not limited to, the following uses:
  - Antique shops
  - Artist supplies
  - Barbershops and beauty parlors
  - Bars and lounges
  - Book stores
  - Clothing stores
  - Convenience stores with fuel sales
  - Crafts and hobby shops
  - Drug stores
  - Dry cleaning and dyeing
  - Electrical and household appliances
  - Florists
  - Furniture stores, no warehousing – limited storage within the principal structure
  - Gift shops
  - Grocery stores
  - Hardware stores
  - Indoor amusement and recreational facilities
  - Instructional services/studios
  - Jewelry stores
  - Laundries – hand and coin-operated
  - Music shops
  - Office supplies
  - Package liquor stores
  - Paint stores
  - Pet shops
  - Photographic studios, equipment and supplies
  - Restaurants and other eating establishments with or without a drive-thru, including sidewalk cafes and kiosks that provide unique congregating places for sales and shopping interests
  - Shoe stores
  - Sporting good and athletic equipment
  - Stationary stores
  - Toy and game stores
2. Offices: general, medical, dental, professional and governmental
3. Cultural facilities, such as a museum, theater, art gallery;
4. Medical and dental clinics;
5. Child care center
6. Financial offices, including banks, savings and loans, limited to a maximum of 5,000 square feet and not including drive-through facilities;
7. Clubs, lodges, fraternal and service organizations;



8. Public and private schools
9. Health clubs, fitness center;
10. Accessory structures and uses necessary and customarily incidental to the above uses. No outdoor storage shall be permitted; \*
11. Public and quasi-public facilities;
12. Temporary construction yards and construction office, to be removed upon completion of the development; and
13. Places of religious assembly.

\*All uses which are incidental only to the permitted use and which may comply with all of the following conditions, may be operated as an accessory use in business and commercial districts:

1. Is clearly incidental and customary to and commonly associated with the permitted use; and
2. Is operated and maintained under the same ownership and on the same building site as the permitted use.

#### **SEC. 6-40 Uses Permitted by Special Review**

1. Uses that have 24 hour operations
2. Outdoor recreational facilities;
3. Veterinary clinics and hospitals;
4. Financial offices, including banks, savings and loans proposing over 5,000 square feet in area, and/or drive-thru facilities;
5. Funeral homes, mortuaries and crematoria;
6. Pawn shops;
7. Nursing homes, retirement centers and residential style health care facilities.
8. Water wells and appurtenances

#### **SEC. 6-50 Maximum Building Height**

The predominant portion of any building shall not exceed 35 feet in height. Ornamental architectural elements or appurtenances such as stair towers, entry and corner design features, or cupolas shall not exceed 45 feet in height.

#### **SEC. 6-60 Setbacks**

|                                                   |                                 |
|---------------------------------------------------|---------------------------------|
| <b>Front Building Setback</b>                     |                                 |
| • From public and private internal rights-of-way: | 0 feet                          |
| • From Jordan Road and Mainstreet:                | 20 feet                         |
| <b>Side Setbacks</b>                              |                                 |
| • If attached to an adjacent building:            | Minimum of 0 feet               |
| • If not attached to an adjacent building:        | Minimum of 5 feet               |
| <b>Rear Setbacks:</b>                             | 10 feet from all property lines |

1. A minimum 20 foot landscape strip shall be provided along Jordan Road, which shall include pedestrian walkways as indicated on the concept plan.

**SEC. 6-70      Off -Street Loading**

Unless screening has been approved by the Town of Parker, truck docking facilities off any major or minor arterial or adjacent to a residential district, is prohibited.

**SEC. 6-80      Lot Coverage and Open Space**

Lot coverage and common open space requirements shall be in accordance with the Town of Parker Development Design Standards, as amended.

**SEC. 6-90      Design Guidelines**

1. At the time of Site Plan/Final Plat all common design elements including but not limited to a "360 degree" architectural design treatment, thematic architectural design for all buildings, thematic landscape design through the site, minimum landscape buffers, uniform signage treatment, etc. shall be indicated.
2. Off-street parking will comply with the Town of Parker Land Development Code, as amended.

**SECTION 7 – PARK/OPEN SPACE – PLANNING AREA (PA) 8****SEC. 7-10      Description**

The Park/Open Space Area is a total of approximately 11.50 acres.

**SEC. 7-20      Intent**

The Park/ Open Space Area is located in the center of the community. The area contains approximately 11.50 acres and is planned to serve as an easily accessible location for residents within the development. The central park and open space area which includes 7.72 acres will include a neighborhood activity center which will include a club house, swimming pool and pool house, hot tub, tot lot and open play area. The open space will include a regional trail and landscaping. The design of any building within this use area shall be a "360 degree" design.

**SEC. 7-30      Uses Permitted**

The following uses are permitted within the Park/Open Space Area:

1. Outdoor pool and pool house
2. Community building/ club house;
3. Neighborhood activity center
4. Indoor and outdoor private recreation facilities;
5. Trails;
6. Public and quasi-public facilities;
7. Temporary sales trailers, model homes, and show home complexes and accessory uses; and
8. Temporary construction yards and construction office, to be removed upon completion of the development;
9. Accessory structures and uses necessary and customarily incidental to a permitted use; and
10. Drainage facilities and detention ponds.

**SEC. 7-40      Uses Permitted by Special Review**

1. Water wells and appurtenances

**SEC. 7-50        Setbacks**

All buildings shall be setback a minimum of 10 feet from the Planning Area Boundary.

**SEC. 7-60        Maximum Building Height**

The maximum building height of any structure in the Park/Open Space Area shall be 20 feet, with the exception of the clubhouse or pool house facility which may be 35 feet in height.

**SECTION 8 – NOTES**

1. The developer has the right to build at a lower density in any planning area provided the Town has determined that the use is permitted and compatible with surrounding land uses and a finding of compatibility is determined at the time of Preliminary Plan or Site Plan review; provided the developer meets the requirements of that particular zone district and the intent statements of this Development Plan. This reduction shall be considered a minor change, enabling the developer to gain approval of the site without amending the Development Plan.
2. Residential Development Standards shall apply to the use described, regardless of the zone district in which they are found, (i.e., if a Single Family Detached use is proposed in the Single Family Attached Use Area, the Development Standards for the Single Family Detached Use Area shall apply) provided that such use is a Permitted Use or Use by Special Review in the subject Planning Area.
3. All roadway systems are conceptually located to provide access to the site and its environs. Final alignments, access and design will be determined at the time of Sketch/Preliminary Plan review, and shall be in substantial compliance with the Development Plan.
4. Total Park dedication for this development shall be 13.39 acres as depicted on the Development Plan.
5. The 20% open space requirement shall be provided through the following:
  - a) Non-dedicated community open space.
  - b) Cash-in-lieu of open space land paid to the Town for the off-site purchase of open space.
  - c) Improvements to regional trail and parks in lieu of open space.
6. The owner / developer of any property within the area subject to these development standards has the right to continue existing agricultural uses until the time of construction, in accordance with the requirements of Sec.13.04.230 ("Non-conforming Situations") of the Town of Parker Land Development Code as provided herein.

**SECTION 9 – DESIGN INTENT****SEC. 9-10        Circulation, Road Patterns, and Standards**

The roads / streets are laid out based on a dispersed network, so that there are alternate routes to every destination, thereby permitting most streets to be narrower, with slower traffic and reduced trips per day envisioned for these pedestrian oriented streets.

Extensive street trees and detached walks on both sides along the neighborhood street will encourage pedestrians to utilize the "walking street pedestrian system" for day to day local trips within the development.

**SEC. 9-20 View Corridors**

Views from the site can be dramatic, ranging from mountains to the plains. The mountain views to the west include a sweep of approximately 180 degrees assuming many homes an opportunity to have a view. Views to the east include a view of the Cherry Creek open space / drainage corridor and the surrounding Town of Parker.

**SEC. 9-30 Constraints**

Public Service Company's overhead transmission lines are located along the southern boundary of the property paralleling Todd Drive. Traffic noise impacts are anticipated at the intersection of Jordan Road and Mainstreet.

**SEC. 9-40 Community Design Elements**

Community design elements will create the visual amenities that will contribute to making Olde Town at Parker a cohesive, well planned community. Community design elements include landscaping, berming, planting, entry monumentation, pavement textures in select areas, walls, fencing, lighting, parks, pedestrian and bicycle circulation and street furniture.

The external streets and the treatment along these roadways create the window and primary access to the community. It is intended that treatment along the roadways (landscape planting, community design elements and street furniture) be designed and integrated in a way to demonstrate the quality and community concept of Olde Town at Parker. It is intended that street furniture such as benches and street lighting, traffic control devices, bus shelters, kiosks, drinking fountains, bike racks, trash receptacles, fencing along the arterial and collector roads, and signage along the village center, arterials & collectors, shall be installed by the developer, and be of a consistent design vocabulary while adhering to the Town's Sign Code. Street furniture and entry signage will be an integral part of the landscaping areas flanking the arterials and shall have a uniform appearance throughout Olde Town at Parker. Street furniture will complement a theme with an integrated design. Signage along arterials and collectors will be low profile type monument signs with base materials and landscaping which will complement building themes and materials, consistent with the Town's Sign Code.

Development within Olde Town at Parker will comply with all Town of Parker Landscape Guidelines. Landscape planting shall be coordinated with the other community design elements and enhance the quality of the development. Additional design standards shall be submitted to the Town of Parker on or prior to the submission of a Final Plat.

**SEC. 9-50 Community/Architectural Design Elements**

Architectural design and specific area site planning shall encourage high quality development. Design Guidelines shall be submitted to the Town of Parker concurrent with the first Final Plat, ensuring the integration of design control of architecture, street furniture, and establish the character for other areas within Olde Town at Parker. The creation of a homeowner's association and enforcement of design Guidelines are enabled by the Covenants, Conditions and Restrictions (CC&R's) established for the property. The HOA will be responsible for enforcing the CC&R's and the Design Guidelines. The Design Guidelines will be provided to the Town as a courtesy.

Olde Town at Parker is a planned development and special consideration must be given to the siting of all improvements with emphasis on the relationship to existing grades, and the relationship to neighboring sites and vistas. All residences will have exterior elevations, roofs and details that shall be coordinated and consistent in their architectural treatment. Exterior elevations shall be designed to complement the natural and man enhanced

environments of Olde Town at Parker. Large surfaces of bright colors and reflective exterior surfaces shall be prohibited excluding all glazed areas. Panels of bright colors may be utilized for an architectural statement on certain panels or doors, but again, may not be utilized on mass surfaces.

Fencing - The developer / builder shall submit detailed fence designs with the Final Plat and/ or Site Plan. The design and materials for any fencing along any arterial or collector road shall be based on a unified theme and character determined at the time of initial Final Plat, which shall reflect the overall design intent for the development. Individual panel or specific lot fence designs shall be prohibited on all fences along arterial and/or collector roads.

Common Area Landscaping - All common areas along arterials and collector roads, buffers, entry areas, pedestrian walkways and under the Jurisdiction of the Olde Town at Parker Homeowner's Association, or other quasi-government entity shall be landscaped in accordance with a master landscape plan which shall be submitted with the Final Plat and/ or Site Plan subject to approval by the Town of Parker. The landscape plans shall indicate, but not be limited to, plant materials, grading, soil, irrigation, landscape, signs, lighting, etc., and shall be prepared by a landscape architect, and shall meet or exceed the landscape requirements specified in Sec. 13.06.070 of the Town of Parker Land Development Code as amended.

All landscaping within a public right-of-way will require a license agreement issued by the Town of Parker Public Works Department. The agreement shall be assigned to the homeowner's or commercial owner's association therefore requiring the maintenance and irrigation, including tap, by the assigned entity or individual homeowner. Maintenance, irrigation and the water source, of the tree lawns along public streets adjacent to a Single Family lot is the responsibility of the lot owner. Maintenance and irrigation of all common area landscaping, including right-of-way landscaping along Jordan Road and Motsenbocker Road shall be the responsibility of the homeowner's association. Maintenance and irrigation of all landscaping along Mainstreet and Jordan Road adjacent to the Commercial Center shall be the responsibility of the Commercial owner's association or management company.

## **SECTION 10 – EXHIBITS**

**Exhibit A: Legal Description**

**Exhibit B: PD Development Plan**

OLDE TOWN AT PARKER PLANNED DEVELOPMENT AMENDMENT

EXHIBIT A

LAND DESCRIPTION

A PARCEL OF LAND IN THE WEST HALF OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21, THENCE N00°20'54"W ALONG THE WESTERLY LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING;

THENCE N00°20'54"W ALONG SAID WESTERLY LINE, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED IN BOOK 753 PAGE 617, A DISTANCE OF 302.18 FEET;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED RECEPTION NUMBERS 2002116352 AND 2003092239 THE FOLLOWING SEVEN (7) CONSECUTIVE COURSES;

1. N03°27'57"E A DISTANCE OF 117.25 FEET;
2. THENCE N89°39'06"E A DISTANCE OF 19.21 FEET;
3. THENCE N00°20'54"W A DISTANCE OF 1016.14 FEET TO A POINT OF CURVATURE;
4. THENCE 137.41 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 09°00'29", A RADIUS OF 874.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 137.27' FEET TO A POINT OF TANGENCY;
5. THENCE N08°39'35"E A DISTANCE OF 289.60 FEET TO A POINT OF CURVATURE;
6. THENCE 164.14 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 09°00'29", A RADIUS OF 1044.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 163.97 FEET TO POINT OF TANGENCY;
7. THENCE N00°20'54"W A DISTANCE OF 296.99 FEET TO A POINT OF CURVATURE;

THENCE 78.60 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 90°03'52", A RADIUS OF 50.00 FEET AND A CHORD WHICH BEARS N44°41'02"E A DISTANCE OF 70.75 FEET TO A POINT OF TANGENCY ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST MAIN STREET AS RECORDED AT RECEPTION NUMBERS 2002116352 AND 2003092239;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) CONSECUTIVE COURSES;

1. N89°42'58"E A DISTANCE OF 363.74 FEET TO A POINT OF CURVATURE;
2. THENCE 278.26 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 10°30'50", A RADIUS OF 1516.39 FEET AND A CHORD WHICH BEARS N84°27'33"E A DISTANCE OF 277.87 FEET;
3. THENCE N10°47'52"W A DISTANCE OF 15.00 FEET;
4. THENCE 181.43 FEET ALONG THE ARC OF NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE 06°55'25", A RADIUS OF 1501.39 FEET AND A CHORD WHICH BEARS N75°44'25"E A DISTANCE OF 181.32 TO A POINT ON THE NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID NORTHERLY LINE, N89°42'58"E A DISTANCE OF 100.15 FEET;

THENCE N00°23'18"W A DISTANCE OF 2.02 FEET TO A POINT ON THE SOUTHERLY LINE OF CLARKE FARMS SUBDIVISION, FILING NO. 2A AS RECORDED AT RECEPTION NO. 9306811;

THENCE ALONG SAID SOUTHERLY LINE, THE FOLLOWING SIX (6) CONSECUTIVE COURSES;

1. N89°36'42"E A DISTANCE 258.06 FEET;
2. THENCE N89°35'34"E A DISTANCE OF 117.35 FEET;
3. THENCE S00°19'07"E A DISTANCE OF 27.35 FEET;
4. THENCE N89°30'01"E A DISTANCE OF 50.01 FEET;

5. THENCE N00°19'07"W A DISTANCE OF 27.27 FEET
6. THENCE N89°35'34"E A DISTANCE OF 233.63 FEET TO A POINT ON THE WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3 AS RECORDED AT RECEPTION NUMBER 2013010637.

THENCE ALONG SAID WESTERLY LINE S00°24'26"E A DISTANCE OF 3.35 FEET TO A POINT ON SAID NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3, S00°02'02"E A DISTANCE OF 682.11 FEET TO A POINT ON THE NORTHERLY LINE OF OLDE TOWN AT PARKER FILING NO. 1B-2 AS RECORDED AT RECEPTION NUMBER \_\_\_\_\_;

THENCE ALONG SAID NORTHERLY LINE N89°34'55"E A DISTANCE 644.54 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH MOTSENBOCKER ROAD AS RECORDED AT RECEPTION NUMBERS 2002116352 AND 2017075212;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING FOURTEEN (14) CONSECUTIVE COURSES;

1. S00°02'02"E A DISTANCE OF 77.50 FEET TO A POINT OF CURVATURE;
2. THENCE 172.69 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 590.00 FEET, A CENTRAL ANGLE OF 16°46'12" AND A CHORD WHICH BEARS S08°25'08"E A DISTANCE OF 172.07 FEET TO A POINT OF TANGENCY;
3. THENCE S16°48'14"E A DISTANCE OF 30.84 FEET;
4. THENCE N72°41'42"E A DISTANCE OF 3.59 FEET;
5. THENCE S15°53'49"E A DISTANCE OF 301.80 FEET;
6. THENCE S10°18'46"E A DISTANCE OF 71.94 FEET;
7. THENCE S15°53'49"E A DISTANCE OF 79.96 FEET;
8. THENCE S16°36'56"E A DISTANCE OF 387.85 FEET TO A POINT OF CURVATURE;
9. THENCE 55.13 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 535.00 FEET, A CENTRAL ANGLE OF 05°54'15" AND A CHORD WHICH BEARS S13°39'48"E A DISTANCE OF 55.11 FEET;
10. THENCE 20.12 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 510.00 FEET, A CENTRAL ANGLE OF 02°15'37" AND A CHORD WHICH BEARS S01°48'01"E A DISTANCE OF 20.12 FEET TO A POINT OF TANGENCY;
11. THENCE S00°40'13"E A DISTANCE OF 598.66 FEET;
12. THENCE S00°33'44"E A DISTANCE OF 182.24 FEET;
13. THENCE 3.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5.00 FEET, A CENTRAL ANGLE OF 37°56'39" AND A CHORD WHICH BEARS S18°24'35"W A DISTANCE OF 3.25 FEET TO A POINT OF TANGENCY;
14. THENCE S37°22'55"W A DISTANCE OF 31.26 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID SOUTHERLY LINE, S89°26'16"W A DISTANCE OF 345.53 FEET TO A POINT ON THE EASTERLY LINE OF A PARCEL OF LAND RECORDED AT BOOK 131, PAGE 102;

THENCE ALONG THE EASTERLY AND NORTHERLY LINE OF SAID PARCEL THE FOLLOWING TWO (2) CONSECUTIVE COURSES;

1. N00°40'14"W A DISTANCE OF 210.00 FEET;
2. THENCE S89°26'16"W A DISTANCE OF 2269.52 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID JORDAN ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING.

PARCEL CONTAINS 127.453 ACRES OR 5,551,834 SQUARE FEET MORE OR LESS.

ALL LINEAL DISTANCES ARE IN U.S. SURVEY FEET.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN ASSUMED TO BEAR S00°20'54"E AND BEING MONUMENTED BY A FOUND 2" ALUMINUM CAP IN RANGE BOX PLS #13487 AT THE WEST QUARTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #25645 AT THE SOUTHWEST CORNER.

PREPARED BY AUGUSTUS TERRY  
FOR AND ON BEHALF OF  
MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, COLORADO 80215  
303-431-6100  
NOVEMBER 20, 2018



# Exhibit B

## Olde Town At Parker A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

### PD Development Plan SHEET 1 OF 1

VICINITY MAP NOT TO SCALE



- NOTES**
1. NO FLOODPLAIN EXISTS ON THIS SITE.
  2. ALL EXISTING STRUCTURES ON THIS SITE SHALL BE REMOVED.
  3. EXISTING ZONING - PD
  4. WATER AND SEWER TO BE PROVIDED BY PARKER WATER AND SANITATION DISTRICT.

#### LAND USE SUMMARY

| PA     | Planning Area              | Acres  | Dwelling Units | Density | Min. Density | % of Acreage |
|--------|----------------------------|--------|----------------|---------|--------------|--------------|
| 4.6.7  | 3.0 Attached Res*          | 56.37  | 345            | 4.35    | 4.35         | 45.0%        |
| 3      | 3.0 Cluster                | 7.08   | 74             | 10.45   | 10.29        | 5.7%         |
| 2.5.10 | 3.0 Attached               | 20.05  | 123            | 11.08   | 11.08        | 8.2%         |
| 3.4.5  | Chairs Residential         | 13.89  | 104            | 7.49    | 10.00        | 10.7%        |
| 9      | Condominium                | 6.27   | 108            | 17.22   | 17.22        | 4.9%         |
| 2      | Commercial Center          | 11.49  | N/A            | N/A     | N/A          | 8.9%         |
| 8      | Park/Open Space            | 11.50  | N/A            | N/A     | N/A          | 8.9%         |
|        | Internal Street**          | 8.41   | N/A            | N/A     | N/A          | 6.6%         |
|        | Motenbocker ROW Dedication | 0.90   | N/A            | N/A     | N/A          | 0.7%         |
|        | Open Space/Trail           | 2.76   | N/A            | N/A     | N/A          | 2.2%         |
|        |                            | 126.33 | 649            | 5.01    | 5.18         | 100.0%       |

\* INCLUDES INTERNAL OPEN SPACE

\*\* AS SHOWN ON PLAN

\*\*\* MAXIMUM DENSITIES FOR ALL PAs EXCEPT PA-9 WERE ESTABLISHED VIA PREVIOUS PD AMENDMENTS.

#### PLANNING COMMISSION ACCEPTANCE:

THIS DEVELOPMENT PLAN WAS REVIEWED AND RECOMMENDED FOR APPROVAL BY THE TOWN OF PARKER PLANNING COMMISSION FOLLOWING A PUBLIC HEARING HELD ON \_\_\_\_\_, 2020.

PLANNING DIRECTOR, ON BEHALF OF THE TOWN OF PARKER PLANNING COMMISSION

#### TOWN COUNCIL ACCEPTANCE:

THIS DEVELOPMENT PLAN WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, FOR THE PROPERTY DESCRIBED AS OLDE TOWN AT PARKER. THE ZONING INFORMATION SHOWN HEREON WAS CONFIRMED WITH ADOPTION OF ORDINANCE NO. \_\_\_\_\_.

MAYOR, TOWN OF PARKER

ATTEST:  
TOWN CLERK

#### CLERK AND RECORDER'S CERTIFICATE

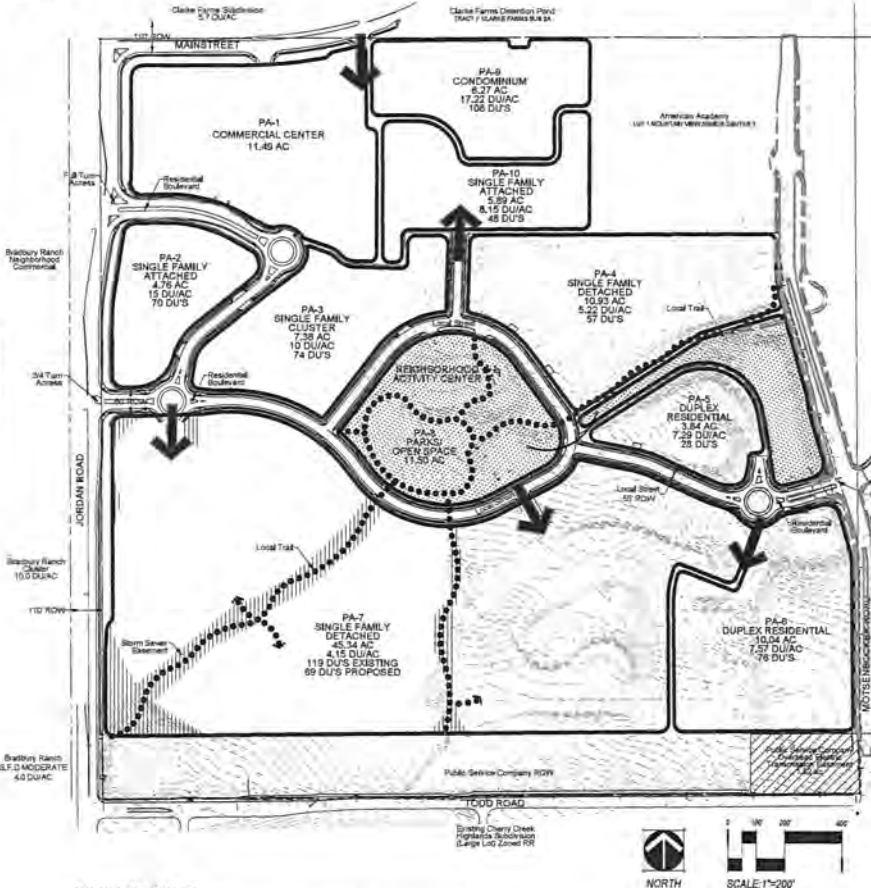
STATE OF COLORADO }  
COUNTY OF DOUGLAS }

I HEREBY CERTIFY THAT THIS DEVELOPMENT PLAN WAS FILED IN MY OFFICE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019 A.D. AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M AND WAS RECORDED WITH RECEPTION NUMBER \_\_\_\_\_.

DOUGLAS COUNTY RECORDER

#### LEGEND

- Local Trail
- Access Points
- Designated Parks/Open Space within Planning Area
- Park/Open Space



#### PARKS/OPEN SPACE

1. PARKS DEDICATION REQUIRED  
2ND AMENDMENT (2017): 649 DU'S X 3.0 PEOPLE/DU / 1,000 X 7.5 = 14.80 AC\*\*  
3RD AMENDMENT (2020): 156 DU'S X 0.0139 AC/UNIT = 2.17 AC\*\*  
TOTAL PARK DEDICATION REQUIRED: 15.96 AC
2. PARK DEDICATION PROVIDED:  
A. PA-9 (PARK/CLUSTER/RECREATION CENTER): 7.22 AC  
B. POCKET PARKS/OPEN SPACE IN PA-7: 2.70 AC  
C. REGIONAL TRAIL CORRIDOR IN PA-7 & PA-9: 3.69 AC  
D. PARK LANDS IN PA-9 & PA-10: 2.18 AC  
TOTAL PARK DEDICATION CREDIT: 15.79 AC
3. OPEN SPACE REQUIRED: 20% OF AREA
4. OPEN SPACE TO BE MET THROUGH THE FOLLOWING:  
A. NON-DEDICATED COMMUNITY OPEN SPACE AREAS  
B. CASH-IN-LIEU OF OPEN SPACE PAID TO TOWN OF PARKER  
C. IMPROVEMENTS TO REGIONAL TRAIL AND PARKS IN LIEU OF OPEN SPACE

\* REFLECTS PREVIOUS PARKS DEDICATION FORMULA USED TO CALCULATE REQUIREMENT WITH THE 2017 PD AMENDMENT.  
\*\* REFLECTS CURRENT PARKS DEDICATION FORMULA USED FOR CURRENT CALCULATION.

#### LEGAL DESCRIPTION:

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST QUARTER OF SAID SECTION 21;

THENCE N00°20'54"W ALONG THE WESTERLY LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING;

THENCE N00°20'54"W ALONG SAID WESTERLY LINE, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED IN BOOK 753 PAGE 527, A DISTANCE OF 302.18 FEET;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED RECEPTION NUMBERS 2002116352 AND 2004092239 THE FOLLOWING SEVEN (7) CONSECUTIVE COURSES;

1. N03°27'57"E A DISTANCE OF 117.25 FEET;
2. THENCE N89°39'06"E A DISTANCE OF 19.21 FEET;
3. THENCE N00°20'54"W A DISTANCE OF 1016.14 FEET TO A POINT OF CURVATURE;
4. THENCE 137.41 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 0°09'29", A RADIUS OF 874.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 137.27 FEET TO A POINT OF TANGENCY;
5. THENCE N08°39'35"E A DISTANCE OF 289.60 FEET TO A POINT OF CURVATURE;
6. THENCE 184.14 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 0°04'28", A RADIUS OF 1044.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 163.97 FEET TO A POINT OF TANGENCY;
7. THENCE N00°20'54"W A DISTANCE OF 296.99 FEET TO A POINT OF CURVATURE;

THENCE 78.60 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 90°03'52", A RADIUS OF 50.00 FEET AND A CHORD WHICH BEARS N44°41'02"E A DISTANCE OF 70.75 FEET TO A POINT OF TANGENCY ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST MAIN STREET AS RECORDED RECEPTION NUMBERS 2002116352 AND 2003092239;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) CONSECUTIVE COURSES;

1. N89°42'58"E A DISTANCE OF 363.74 FEET TO A POINT OF CURVATURE;
2. THENCE 278.76 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 10°30'50", A RADIUS OF 1516.39 FEET AND A CHORD WHICH BEARS N04°27'33"E A DISTANCE OF 277.87 FEET;
3. THENCE N10°47'32"W A DISTANCE OF 15.00 FEET;
4. THENCE 181.43 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE 06°55'25", A RADIUS OF 1501.39 FEET AND A CHORD WHICH BEARS N75°44'25"E A DISTANCE OF 181.32 TO A POINT ON THE NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID NORTHERLY LINE, N89°42'58"E A DISTANCE OF 100.15 FEET;

THENCE N00°23'18"W A DISTANCE OF 2.02 FEET TO A POINT ON THE SOUTHERLY LINE OF CLARKE FARMS SUBDIVISION, FILING NO. 2A AS RECORDED AT RECEPTION NO. 9306831;

THENCE ALONG SAID SOUTHERLY LINE, THE FOLLOWING SIX (6) CONSECUTIVE COURSES;

1. N89°36'42"E A DISTANCE OF 258.06 FEET;
2. THENCE N89°35'34"E A DISTANCE OF 117.35 FEET;
3. THENCE S00°19'07"E A DISTANCE OF 27.35 FEET;
4. THENCE N09°30'01"E A DISTANCE OF 50.01 FEET;
5. THENCE N00°19'07"W A DISTANCE OF 27.27 FEET;
6. THENCE N89°35'34"E A DISTANCE OF 133.65 FEET TO A POINT ON THE WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3 AS RECORDED AT RECEPTION NUMBER 2033036437.

THENCE ALONG SAID WESTERLY LINE S00°24'29"E A DISTANCE OF 1.33 FEET TO A POINT ON SAID NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3, S00°02'02"E A DISTANCE OF 682.11 FEET TO A POINT ON THE NORTHERLY LINE OF OLDE TOWN AT PARKER FILING NO. 18-2 AS RECORDED AT RECEPTION NUMBER 2018070436;

THENCE ALONG SAID NORTHERLY LINE N89°34'55"E A DISTANCE 644.54 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH MOTENBOCKER ROAD AS RECORDED RECEPTION NUMBERS 2002116352 AND 2017075232;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING FOURTEEN (14) CONSECUTIVE COURSES;

1. S00°02'02"E A DISTANCE OF 77.50 FEET TO A POINT OF CURVATURE;
2. THENCE 172.89 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 390.00 FEET, A CENTRAL ANGLE OF 16°46'12" AND A CHORD WHICH BEARS S08°25'08"E A DISTANCE OF 172.07 FEET TO A POINT OF TANGENCY;
3. THENCE S15°48'14"E A DISTANCE OF 30.84 FEET;
4. THENCE N72°41'43"E A DISTANCE OF 3.59 FEET;
5. THENCE S15°53'49"E A DISTANCE OF 301.80 FEET;
6. THENCE S01°18'45"E A DISTANCE OF 71.94 FEET;
7. THENCE S15°53'49"E A DISTANCE OF 79.96 FEET;
8. THENCE S16°36'36"E A DISTANCE OF 387.85 FEET TO A POINT OF CURVATURE;
9. THENCE 55.13 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 535.00 FEET, A CENTRAL ANGLE OF 05°54'15" AND A CHORD WHICH BEARS S13°39'48"E A DISTANCE OF 55.11 FEET;
10. THENCE 20.12 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 510.00 FEET, A CENTRAL ANGLE OF 02°15'37" AND A CHORD WHICH BEARS S01°48'01"E A DISTANCE OF 20.12 FEET TO A POINT OF TANGENCY;
11. THENCE S00°40'13"E A DISTANCE OF 598.66 FEET;
12. THENCE S00°33'44"E A DISTANCE OF 182.24 FEET;
13. THENCE 4.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5.00 FEET, A CENTRAL ANGLE OF 37°36'39" AND A CHORD WHICH BEARS S18°24'35"W A DISTANCE OF 1.25 FEET TO A POINT OF TANGENCY;
14. THENCE S47°22'35"W A DISTANCE OF 11.26 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID SOUTHERLY LINE, S89°26'16"W A DISTANCE OF 345.53 FEET TO A POINT ON THE EASTERLY LINE OF A PARCEL OF LAND RECORDED AT BOOK 131, PAGE 102;

THENCE ALONG THE EASTERLY AND NORTHERLY LINE OF SAID PARCEL THE FOLLOWING TWO (2) CONSECUTIVE COURSES;

1. N00°40'14"W A DISTANCE OF 210.00 FEET;
2. THENCE S89°26'16"W A DISTANCE OF 228.52 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID JORDAN ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING;

PARCEL CONTAINS 127.458 ACRES OR 5,551.88 SQUARE FEET MORE OR LESS.

APPLICANT

PNC New Town, LLC  
4800 South Syracuse Street  
Suite 900  
Denver, CO 80227

PREPARED BY / LAND PLANNER / LANDSCAPE ARCHITECT

NOBIS DESIGN

REVISIONS  
REVISION 04-03-20  
REVISION 06-04-20  
REVISION 06-02-20  
REVISION 11-02-19  
REVISION 01-06-17  
REVISION 03-28-17  
REVISION 04-19-19  
REVISION 07-25-19  
REVISION 02-18-20  
REVISION 04-03-20  
REVISION 04-30-20

SHEET 1 OF 1

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                |
| <p>Drayton Sanderson</p> <p>This project is not in Parker Water &amp; Sanitation District. Project must be included into PWSD before PWSD will review.</p> <p>5/17/2019 10:40:27 AM</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>Parker Water and Sanitation District 20</p> |
| <p>Randy Capra</p> <p>Fire Life Safety has "no comments" specific to the zoning; comments specific to utilities, access, etc. will be made through the Site Plan and Subdivision submittals as applicable.</p> <p>5/22/2019 3:26:39 PM</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>FIRE LIFE SAFETY 20</p>                     |
| <p>Donna George</p> <p>please see attached</p> <p>6/7/2019 2:42:16 PM</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p>Public Service Company of Colorado 20</p>   |
| <p>Dylan Heberlein</p> <ul style="list-style-type: none"> <li>• 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 the AIA.</li> <li>• We highly recommend the execution of an avigation easement for the property. Please forward a copy of the recorded easement to our office. Book and page number of the avigation easement must be included on all plats and plans.</li> <li>• An overflight disclosure is recommended to be provided to both present and future residents.</li> </ul> <p>6/10/2019 3:26:45 PM</p> | <p>Centennial Airport 20</p>                   |
| <p>Carolyn Parkinson</p> <p>Please see redline PD Plan, PD Guide and 1st Development Review memo</p> <p>6/12/2019 2:12:14 PM</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>DEVELOPMENT GUIDE 20</p>                    |
| <p>Carolyn Parkinson</p> <p>Please see redline Development Plan, Development Guide and 1st Development review</p> <p>6/12/2019 2:15:08 PM</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>DEVELOPMENT PLAN 20</p>                     |
| <p>Bryce Matthews</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Comprehensive Planning 20</p>               |

The Parker 2035 Master Plan shows this area as a Neighborhood Center. The Master Plan says the following in regards to higher density residential in Neighborhood Centers:

Higher density residential is appropriate in these Centers as a transition between less intense residential areas and nonresidential areas when developed as part of a mixed-use development and when the design encourages residents to walk or bicycle to obtain goods and services. Massing and scale of higher density residential development shall respect the scale and massing of adjoining land uses and shall reflect an integrated neighborhood feel. Typical garden style apartment designs are not appropriate.

This site acts as a transition between the Olde Town commercial areas and the Olde Town and Clark Farms single family detached residents. The proposal includes townhomes and multifamily that is proposed to be for sale that are connected to the commercial area via roadway and sidewalks creating a horizontally mixed use development. The proposed land uses in the zoning meet the intent of the Parker 2035 Master Plan.

6/17/2019 11:28:07 AM

Alex Mestdagh

PLANNED DEVELOPMENT /  
ZONING PLAN - PW

The applicant will be required to mitigate all traffic impacts of this development, as identified through the Engineering Department's review of the traffic study.

The Department supports the proposed access path through the adjacent commercial entrance rather than through the planned connection north through the existing neighborhood.

6/26/2019 11:54:40 AM

Randy Capra

FIRE LIFE  
SAFETY 15

Fire Life Safety has "no comments" specific to the zoning; comments specific to utilities, access, etc. will be made through the Site Plan and Subdivision submittals as applicable.

12/2/2019 1:30:54 PM

Donna George

Public Service Company of  
Colorado 15

PSCo acknowledges the comment response and has no further concerns at this time than what has already been conveyed.

12/16/2019 2:00:23 PM

Alex Mestdagh

PLANNED DEVELOPMENT /  
ZONING PLAN - PW

Approved with the condition that all traffic impacts be mitigated as part of the site plan/subdivision application.

12/27/2019 8:17:20 AM

Carolyn Parkinson

DEVELOPMENT GUIDE 15

Please see Development Review Memo and Guide redline attached.

1/2/2020 4:41:52 PM

Jason Murray

Town of Parker Recreation 15

Review voided by jmur.

2/20/2020 9:56:59 AM

Jason Murray

Town of Parker Recreation 20

Review voided by jmur.

2/20/2020 9:58:47 AM

Dylan Heberlein

Centennial  
Airport 10

Thank you for the opportunity to review this Zoning Amendment to Development Plan, the Arapahoe County Public Airport Authority has the following comments to make on the project:

- 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 the AIA.
- We highly recommend the execution of an avigation easement for the property. Please forward a copy of the recorded easement to our office. Book and page number of the avigation easement must be included on all plats and plans.
- An overflight disclosure is recommended to be provided to both present and future residents.

3/18/2020 3:30:51 PM

Donna George

Public Service Company of Colorado 10

please see all previous responses

3/28/2020 1:14:42 PM

Carolyn Parkinson

DEVELOPMENT GUIDE  
10

Legal is reviewing the PD Guide. Zoning is ready for hearing provided legal has no objections.

5/1/2020 2:37:44 PM

Carolyn Parkinson

DEVELOPMENT PLAN  
10

legal is reviewing the PD Plan. Zoning is ready for hearing provided legal has no objections.

5/1/2020 2:38:29 PM

Carolyn Parkinson

DEVELOPMENT  
PLAN 10

legal required the addition of some language and a definition of condominiums.  
Revisions communicated to applicant. Waiting on reply.

5/8/2020 4:41:11 PM



CENTENNIAL AIRPORT  
ARAPAHOE COUNTY PUBLIC AIRPORT AUTHORITY  
7800 South Peoria Street, Unit G1  
Englewood, Colorado 80112  
main: 303.790.0598  
fax: 303.790.2129  
www.centennialairport.com

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March 26, 2020

Ms. Carolyn Parkinson  
Town of Parker, Colorado Community Development Department  
20120 East Mainstreet  
Parker, CO 80138

Re: SUB19-014; Olde Town/Senderos Creek North Preliminary Plan

Dear Ms. Parkinson,

Thank you for the opportunity to review this Subdivision Preliminary Plan, the Arapahoe County Public Airport Authority has the following comments to make on the project:

- 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 the AIA.
- We highly recommend the execution of an avigation easement for the property. Please forward a copy of the recorded easement to our office. Book and page number of the avigation easement must be included on all plats and plans.
- An overflight disclosure is recommended to be provided to both present and future residents.

Please feel free to call me if you have any questions.

Sincerely,

Rachel Keller  
Noise & Planning Specialist



May 16, 2019

Carolyn Parkinson  
Town of Parker  
Community Development Department  
Town Hall  
20120 East Mainstreet  
Parker, CO 80138

**RE: Olde Town at Parker PD / Senderos Creek North Rezoning Z19-014, Sketch Plan SUB19-015,  
Preliminary Plan SUB19-014, and Site Plan SP19-043**

Dear Ms. Parkinson;

On behalf of Douglas County School District (DCSD), we have a couple comments regarding these applications that we would like to resolve prior to approval.

According to Senderos Creek North Project Narrative, the applicant proposes 48 townhomes and 108 condominium units on 12.2-acres. These 156 dwelling units are estimated to generate 27 elementary school students, 8 middle school students, and 17 high school students. DCSD has calculated the amount of school site land dedication requirement for this project totaling 1.236-acres of land. Since this amount of land is not enough to serve as a school site or for other school purposes, DCSD would ask for cash-in-lieu of land.

Pursuant to Section 13.07.140 (d), (6), (c) of the Parker Development Code, "The cash-in-lieu fee shall be equivalent to the full market value of the acreage required for school land dedication. Value shall be based on anticipated market value after completion of platting and construction of public improvements. The applicant shall submit a proposal for the cash-in-lieu-fee and supply the information necessary for the Town Council to evaluate the adequacy of the proposal. This information shall include at least one (1) appraisal of the property by a qualified appraiser." DCSD requests receipt of a courtesy copy of the appraisal at the time of site plan approval.

Additionally, DCSD would ask for a voluntary mid-range contribution towards the Capital Mitigation component to be paid directly to the District. In this case the contributions would amount to \$921 per residential unit to be paid to DCSD at the time of site plan approval

Since internal streets are private, school bus transportation will not be provided within the subdivision.

We would like to have these agreements as conditions of approval for the application to move forward.. Thank you for your support of our mutual constituents!

Sincerely,

**SCO Consulting, LLC**

A handwritten signature in black ink, reading "Steve Ormiston". The signature is written in a cursive, flowing style.

Steve Ormiston  
Consultant to DCSD



**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: **303.571.3306**  
Facsimile: 303. 571.3284  
donna.l.george@xcelenergy.com

June 7, 2019

Town of Parker Community Development Department  
20120 E. Mainstreet  
Parker, CO 80138

Attn: Carolyn Parkinson

**Re: Olde Town at Parker PD Amendment No. 3 - Sanders Creek North  
Case # Z19-014**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the above captioned project. Please be advised that PSCo has existing natural gas distribution facilities within the areas indicated in this proposed amendment. Public Service Company has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

The property owner/developer/contractor must complete the application process for any new natural gas service, or modification to existing facilities via [xcelenergy.com/InstallAndConnect](http://xcelenergy.com/InstallAndConnect). The Builder's Call Line is 1-800-628-2121. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

Donna George  
Right of Way and Permits  
Public Service Company of Colorado / Xcel Energy  
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



SKETCH/PRELIMINARY PLAN  
OLDE TOWN AT PARKER FILING 2  
A PARCEL OF LAND AND A REPLAT OF TRACT O OF OLDE TOWN AT PARKER FILING 1A, FIRST AMENDMENT AND LOTS 4B AND 4D OF OLDE TOWN AT PARKER FILING 1A, SECOND AMENDMENT BEING A PORTION OF THE WEST HALF OF SECTION 21 TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO  
51 LOTS, 4 TRACTS - 15.369 ACRES  
SHEET 01 OF 08 SHEETS

LEGAL DESCRIPTIONS:

A PARCEL OF LAND AND A REPLAT OF TRACT O OF OLDE TOWN AT PARKER FILING 1A, FIRST AMENDMENT AND LOTS 4B AND 4D OF OLDE TOWN AT PARKER FILING 1A, SECOND AMENDMENT BEING A PORTION OF THE WEST HALF OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER QUARTER CORNER OF SAID SECTION 21, THENCE ALONG THE NORTHERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 21, S89°43'08"W A DISTANCE OF 916.77 FEET TO THE NORTHWEST CORNER OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3 AND THE POINT OF BEGINNING;  
THENCE ALONG THE WESTERLY LINE OF SAID MOUNTAIN VIEW SENIOR CENTER FILING NO. 3 RECORDED AT RECEPTION NO. 2013010637 AND ALONG THE WESTERLY LINE OF TRACT B OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 1 RECORDED AT RECEPTION NUMBER 9808829, S00°02'02"E A DISTANCE OF 682.11 FEET TO A POINT ON THE NORTHERLY LINE OF OLDE TOWN AT PARKER FILING 1B-2 RECORDED AT RECEPTION NO. 2018070436;  
THENCE ALONG SAID NORTHERLY LINE TOGETHER WITH THE NORTHERLY LINE OF SPRINGFIELD COURT RIGHT-OF-WAY RECORDED AT RECEPTION NO. 2004031195 AND THE NORTHERLY LINE OF OLDE TOWN AT PARKER FILING NO. 1A - FOURTH AMENDMENT RECORDED AT RECEPTION NO. 2016028283, S89°34'55"W A DISTANCE OF 655.30 FEET TO A POINT ON THE WESTERLY LINE OF OLDE TOWN AT PARKER FILING NO. 1A, FOURTH AMENDMENT RECORDED AT RECEPTION NO. 2016028283;  
THENCE ALONG SAID WESTERLY LINE, S00°20'54"E A DISTANCE OF 114.62 FEET TO A POINT ON THE NORTHERLY LINE OF OLDE TOWN AT PARKER FILING NO. 1A, FOURTH AMENDMENT RECORDED AT RECEPTION NO. 2016028283;  
THENCE ALONG SAID NORTHERLY LINE THE FOLLOWING 5 COURSES;  
N88°28'56"W A DISTANCE OF 87.29 FEET;  
THENCE N88°28'56"W A DISTANCE OF 92.43 FEET;  
THENCE 58.40 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 70.00 FEET, A CENTRAL ANGLE OF 47°48'00", AND A CHORD WHICH BEARS N64°34'56"W A DISTANCE OF 56.72 FEET;  
THENCE 44.38 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 85.00 FEET, A CENTRAL ANGLE OF 29°55'05", AND A CHORD WHICH BEARS N55°38'28"W A DISTANCE OF 43.88 FEET;  
THENCE N70°36'01"W A DISTANCE OF 98.35 FEET TO A POINT ON THE NORTHERLY R.O.W. LINE OF CEDAR GULCH PARKWAY;  
THENCE ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 56.53 FEET ON THE ARC OF A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 78.50 FEET, A CENTRAL ANGLE OF 41°15'32", AND A CHORD WHICH BEARS N49°56'56"W A DISTANCE OF 55.31 FEET;  
THENCE N19°25'05"E A DISTANCE OF 65.87 FEET ALONG THE WESTERLY LINE OF LOT 4D OF OLDE TOWN AT PARKER FILING NO. 1A, 2ND AMENDMENT RECORDED AT RECEPTION NO. 2008056637;  
THENCE ALONG SAID WESTERLY LINE OF LOT 4D AND CONTINUING ALONG THE WESTERLY LINE OF LOT 4B OF SAID OLDE TOWN AT PARKER FILING NO. 1A N00°17'02"W A DISTANCE OF 331.27 FEET TO A POINT ON THE SOUTHERLY LINE OF LOTS 2 AND 3 OF OLDE TOWN AT PARKER FILING NO. 1A, FIRST AMENDMENT RECORDED AT RECEPTION NO. 2007094472;  
THENCE N89°42'58"E ALONG SAID SOUTHERLY LINE A DISTANCE OF 254.50 FEET TO A POINT ON THE EAST LINE OF SAID LOT 3;  
THENCE ALONG SAID EASTERLY LINE N00°25'48"W A DISTANCE OF 273.36 FEET TO A POINT ON THE SOUTHERLY LINE OF WEST MAINSTREET RIGHT-OF-WAY RECORDED AT RECEPTION NO. 2003092239;  
THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 25.68 ON THE ARC OF A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1093.25 FEET, A CENTRAL ANGLE OF 1°20'46", AND A CHORD WHICH BEARS N72°40'35"E A DISTANCE OF 25.68 FEET TO A POINT ON THE SAID NORTHERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 21;  
THENCE N89°43'08"E A DISTANCE OF 100.15 FEET, ALONG SAID NORTHERLY LINE;  
THENCE N00°23'18"W A DISTANCE OF 1.98 FEET TO A POINT ON THE SOUTHERLY LINE OF CLARKE FARMS SUBDIVISION FILING NO. 2A RECORDED AT RECEPTION NO. 9306811,  
THENCE ALONG SAID SOUTHERLY LINE, N89°36'42"E A DISTANCE OF 258.06 FEET;  
THENCE N89°35'34"E A DISTANCE OF 117.35 FEET TO A POINT ON THE WESTERLY LINE OF SPRINGFIELD COURT, RECORDED AT RECEPTION NO. 9306811;  
THENCE ALONG SAID WESTERLY LINE, S00°19'07"E A DISTANCE OF 27.35 FEET TO A POINT ON THE SOUTHERLY LINE OF SPRINGFIELD COURT, RECORDED AT RECEPTION NO. 9306811  
THENCE ALONG SAID SOUTHERLY LINE N89°30'01"E A DISTANCE OF 50.01 FEET TO A POINT ON THE EASTERLY LINE OF SPRINGFIELD COURT, RECORDED AT RECEPTION NO. 9306811;  
THENCE ALONG SAID EASTERLY LINE N00°19'07"W A DISTANCE OF 27.27 FEET TO A POINT ON THE SOUTHERLY LINE OF CLARKE FARMS FILING NO. 2A;  
THENCE ALONG SAID SOUTHERLY LINE N89°35'34"E A DISTANCE OF 233.63 FEET TO A POINT ON THE WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3, RECORDED AT RECEPTION NO. 2013010637  
THENCE ALONG SAID WESTERLY LINE S00°24'26"E A DISTANCE OF 3.35 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 15.369 ACRES OR 669,493 SQUARE FEET MORE OR LESS.

ACKNOWLEDGEMENT:

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS OF THE LANDS DESCRIBED HEREIN, HEREBY ACKNOWLEDGE THAT ANY SUBDIVISION APPROVAL OBTAINED BY THE TOWN OF PARKER DOES NOT OBLVATE 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.

OWNER: SENDEROS CREEK CONDOS, LLC, A COLORADO LIMITED LIABILITY COMPANY, AND SENDEROS CREEK COMMERCIAL, LLC, A COLORADO LIMITED LIABILITY COMPANY.

BY: NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_

NOTARY:

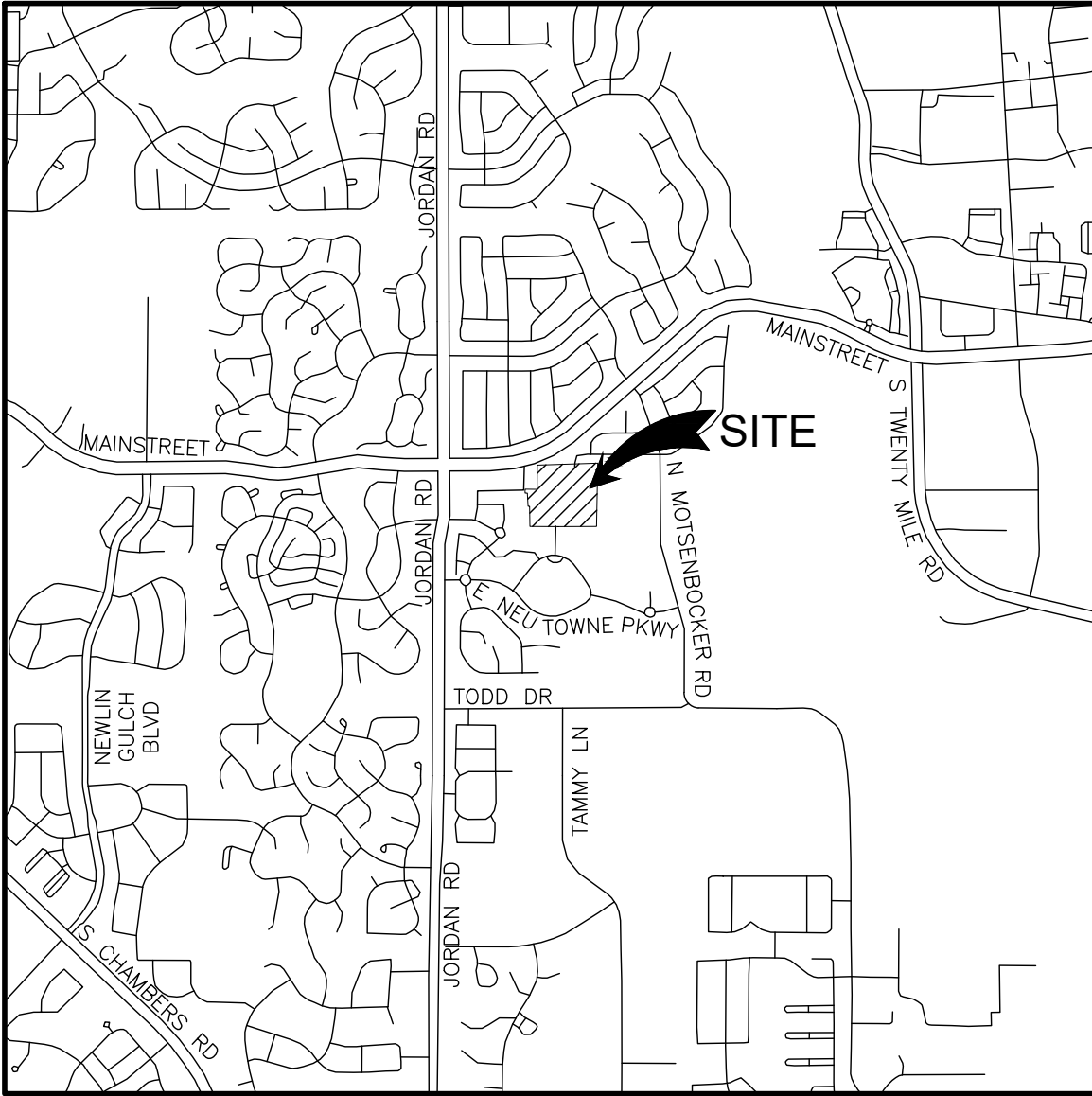
STATE OF COLORADO )  
 ) SS  
COUNTY OF DOUGLAS )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGE BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.  
BY \_\_\_\_\_ AS \_\_\_\_\_ OF SENDEROS CREEK CONDOS, LLC, A COLORADO LIMITED LIABILITY COMPANY AND SENDEROS CREEK COMMERCIAL, LLC, A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY PUBLIC  
ADDRESS \_\_\_\_\_

RICHARD A. NOBBE, P.L.S. #23899  
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.



VICINITY MAP

SCALE: 1"=2000'

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 THOSE ITEMS AS SHOWN ON THE LAND TITLE GUARANTEE COMPANY COMMITMENT NO. ABC70616397.1 WITH AN EFFECTIVE DATE OF APRIL 16, 2019 AT 5:00 P.M.

DATE: \_\_\_\_\_ LAND TITLE GUARANTEE COMPANY

NOTARY:

STATE OF COLORADO )  
 ) SS  
COUNTY OF DOUGLAS )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGE BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.  
BY \_\_\_\_\_, AS AN AUTHORIZED SIGNATORY OF \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY PUBLIC  
ADDRESS \_\_\_\_\_

SURVEYOR'S CERTIFICATION:

I, RICHARD A. NOBBE, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF OLDE TOWN AT PARKER, FILING 2 WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION ON OR ABOUT THE 20TH DAY OF FEBRUARY, 2017, 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 \_\_\_\_\_, 2020.

| TRACT SUMMARY TABLE |             |            |                                          |                         |
|---------------------|-------------|------------|------------------------------------------|-------------------------|
| TRACT               | AREA (S.F.) | AREA (AC.) | USE                                      | OWNERSHIP               |
| A                   | 37,242      | 0.8550     | OPEN SPACE, UTILITIES & DRAINAGE         | HOME OWNERS ASSOCIATION |
| B                   | 39,828      | 0.9140     | OPEN SPACE, UTILITIES & DRAINAGE         | HOME OWNERS ASSOCIATION |
| C                   | 101,659     | 2.3320     | OPEN SPACE, UTILITIES, DRAINAGE & ACCESS | HOME OWNERS ASSOCIATION |
| D                   | 26,159      | 0.6010     | OPEN SPACE, UTILITIES & DRAINAGE         | HOME OWNERS ASSOCIATION |

| LAND USE SUMMARY TABLE |             |         |         |
|------------------------|-------------|---------|---------|
| USAGE                  | AREA (S.F.) | ACREAGE | %       |
| RESIDENTIAL LOTS       | 319,307     | 7.330   | 47.70%  |
| COMMERCIAL LOTS        | 139,608     | 3.205   | 20.85%  |
| PUBLIC RIGHTS OF WAY   | 5,674       | 0.130   | 0.85%   |
| ACCESS/OPEN SPACE      | 101,659     | 2.334   | 15.18%  |
| OPEN SPACE             | 103,225     | 2.370   | 15.42%  |
| TOTAL                  | 669,495     | 15.369  | 100.00% |

NOTES:

- NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
- THE LINEAL UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
- BASIS OF BEARING: BEARINGS ARE BASED ON THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN ASSUMED TO BEAR S00°21'11"E AND BEING MONUMENTED BY A FOUND 2" ALUMINUM CAP IN RANGE BOX PLS #13487 AT THE WEST QUARTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #25645 AT THE SOUTHWEST CORNER.
- OWNER WAIVES, REMISES, AND RELEASED ANY RIGHT OR CAUSE OF ACTION IT MAY NOW HAVE OR WHICH IT MAY HAVE IN THE FUTURE AGAINST THE TOWN OF PARKER, ITS OFFICERS, EMPLOYEES, AND AGENTS RELATED TO OR RESULTING FROM THE PASSAGE OF AIRCRAFT IN THE AIRSPACE ABOVE THE PROPERTY THAT IS THE SUBJECT OF THIS FINAL PLAT.
- THIS SKETCH / PRELIMINARY PLAN CONSISTS OF 51 LOTS AND 4 TRACTS.
- BLANKET DRAINAGE EASEMENTS ARE HEREBY DEDICATED TO THE TOWN OF PARKER OVER AND ACROSS TRACTS A, B, C, AND D FOR THE PURPOSE OF ACCESSING, MAINTAINING AND REPAIRING STORM WATER MANAGEMENT IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES, RIPRAP, DETENTION BASINS, FOREBAYS, MICRO-POOLS, AND WATER QUALITY FACILITIES (COLLECTIVELY "FACILITIES" IN THE EVENT THE OWNER, ITS SUCCESSORS AND ASSIGNS ("SYSTEM OWNER") FAILS TO SATISFACTORILY MAINTAIN OR REPAIR SAID FACILITIES. A BLANKET ACCESS EASEMENT OVER TRACTS A, B, C AND D IS ALSO GRANTED TO THE TOWN OF PARKER, BUT ONLY FOR THE PURPOSE OF ACCESSING THE FACILITIES IN THE EVENT THAT THE DRAINAGE EASEMENTS DO NOT PROVIDE ADEQUATE ACCESS.
- WITHIN SIGHT TRIANGLES, AS SHOWN, LIMITED LANDSCAPING SHALL BE ALLOWED BUT NO SOLID STRUCTURES OR TREES WILL BE PERMITTED. SOLID STRUCTURES SHALL INCLUDE, BUT NOT BE LIMITED TO, FENCES, MAILBOXES, AND UTILITY BOXES. LANDSCAPING WITHIN THE SIGHT TRIANGLES WILL BE LIMITED TO SHRUBS AND PLANTINGS THAT AT MATURITY WILL BE NO TALLER THAN TWO FEET. LANDSCAPING WITHIN THE SIGHT TRIANGLE SHALL BE MAINTAINED BY THE PROPERTY OWNER OR APPROPRIATE ASSOCIATION.
- NO CERTIFICATES OF OCCUPANCY, TEMPORARY OR OTHERWISE WILL BE ISSUED UNTIL ALL PUBLIC IMPROVEMENTS ARE COMPLETED AND ACCEPTED IN WRITING BY THE TOWN.
- NO CERTIFICATES OF OCCUPANCY, TEMPORARY OR OTHERWISE SHALL BE ISSUED UNTIL THE LANDSCAPING IS INSTALLED AND APPROVED BY THE TOWN OR AS OTHERWISE ALLOWED IN THE LAND DEVELOPMENT CODE.
- PRIVATE ACCESS DRIVES/ROADWAYS MUST BE CONSTRUCTED PRIOR TO THE ISSUANCE OF TEMPORARY CERTIFICATE OF OCCUPATION AND/OR CERTIFICATE OF OCCUPANCY FOR ANY DEVELOPMENT OCCURRING ON PROPERTY SHOWN HEREIN.
- ACCESS EASEMENTS ARE HEREBY GRANTED OVER ALL PRIVATE ENTRANCES AND INTERNAL ROADWAYS WITHIN THE PROPERTY FOR THE BENEFIT OF ALL CURRENT AND FUTURE OWNERS OF THE PROPERTY FOR INGRESS, EGRESS AND TRAFFIC CIRCULATION. SHOULD THE PROPERTY BE FURTHER SUBDIVIDED INTO ADDITIONAL LOTS, ALL SUCH LOTS SHALL HAVE THE RIGHT TO USE ALL SUCH ENTRANCES AND INTERNAL ROADWAYS FOR PUBLIC ACCESS PURPOSES.
- THIS PLAT IS SUBJECT TO A PERPETUAL, NON-EXCLUSIVE CROSS-PARKING EASEMENT FOR THE BENEFIT OF ALL LOTS AND TRACTS DESCRIBED HEREIN FOR THE SHARED USE OF ALL PARKING SPACES SITUATED ON THE PROPERTY DESCRIBED HEREIN. THE OWNER OF EACH LOT AND/OR TRACT SHALL KEEP AND MAINTAIN THE PARKING SPACES CONTAINED WITHIN THEIR RESPECTIVE LOT AND/OR TRACT IN A COMMERCIALLY REASONABLE CONDITION AND STATE OF REPAIR.
- ROOF OVERHANGS WITH A MAXIMUM TWO-FOOT (2') ENCROACHMENT MAY BE LOCATED WITHIN "UTILITY EASEMENTS" PROVIDED THEY DO NOT INTERFERE WITH THE USE OF, OBSTRUCT THE OPERATION OF, OR ACCESS TO SAID EASEMENT.

| TRACT C SUMMARY TABLE |                        |                   |                 |                          |                               |                                    |                                        |                 |                         |
|-----------------------|------------------------|-------------------|-----------------|--------------------------|-------------------------------|------------------------------------|----------------------------------------|-----------------|-------------------------|
| TYPE OF AREA          | DRY UTILITY ESMT. (SF) | ACCESS ESMT. (SF) | PWSD ESMT. (SF) | PWSD & ACCESS ESMT. (SF) | PWSD & DRY UTILITY ESMT. (SF) | DRY UTILITY & ACCESS EASEMENT (SF) | DRY UTILITY & ACCESS & PWSD ESMT. (SF) | OPEN SPACE (SF) | TOTAL TRACT B AREA (SF) |
| SQUARE FOOTAGE        | 11,542                 | 13,220            | 3,557           | 40,122                   | 105                           | 1,274                              | 1,443                                  | 30,334          | 101659                  |
| %                     | 11.36%                 | 13.01%            | 3.50%           | 39.49%                   | 0.10%                         | 1.25%                              | 1.42%                                  | 29.86%          | 100.00%                 |

JUNE 05, 2020  
MAY 01, 2020  
FEBRUARY 25, 2020  
NOVEMBER 11, 2019  
APRIL 18, 2019

SHEET 01 OF 08

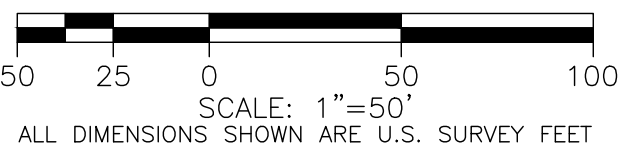
OWNER/DEVELOPER  
SENDEROS CREEK CONDOS, LLC  
SENDEROS CREEK COMMERCIAL, LLC  
4600 SOUTH SYRACUSE STREET, SUITE 900  
DENVER, CO 80237

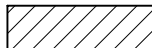
CIVIL ENGINEER/SURVEYOR  
MARTIN/MARTIN CONSULTING ENGINEERS, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, CO 80215

**MARTIN/MARTIN**  
CONSULTING ENGINEERS  
12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215  
303.431.6100 MARTINMARTIN.COM  
SURVEY@MARTINMARTIN.COM



SHEET 02 OF 08 SHEETS



| <i>EXISTING</i>                                                                       |                                                                | <i>PROPOSED</i> |
|---------------------------------------------------------------------------------------|----------------------------------------------------------------|-----------------|
| _____                                                                                 | BOUNDARY LINE                                                  | _____           |
| _____                                                                                 | PROPERTY LINE                                                  | _____           |
| _____                                                                                 | RIGHT-OF-WAY LINE                                              | _____           |
| _____                                                                                 | LOT LINE                                                       | _____           |
| _____                                                                                 | LOT LINE TO BE VACATED                                         | _____           |
| _____                                                                                 | TRACT LINE                                                     | _____           |
| _____                                                                                 | SECTION LINE                                                   | _____           |
| _____                                                                                 | SIGHT DISTANCE LINE                                            | _____           |
| _____                                                                                 | EASEMENT                                                       | _____           |
|                                                                                       |                                                                | _____           |
| <i>DRIVE</i>                                                                          | DESCRIPTIONS                                                   | <i>DRIVE</i>    |
| △                                                                                     | FOUND. NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 36580 |                 |
| ○                                                                                     | FOUND. NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 38510 |                 |
| △                                                                                     | FOUND. NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 25543 |                 |
| ◀                                                                                     | SET #4 REBAR W/ CAP<br>PLS #23899                              |                 |
| ●                                                                                     | EXISTING PIN                                                   |                 |
| ▲                                                                                     | FOUND MONUMENT AS LABELED                                      |                 |
|  | EASEMENTS<br>TO BE VACATED                                     |                 |

JUNE 05, 2020  
MAY 01, 2020  
FEBRUARY 25, 2020  
NOVEMBER 11, 2019  
APRIL 18, 2019

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**MARTIN/MARTIN**  
CONSULTING ENGINEERS

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303.431.6100 MARTINMARTIN.COM  
SURVEY@MARTINMARTIN.COM

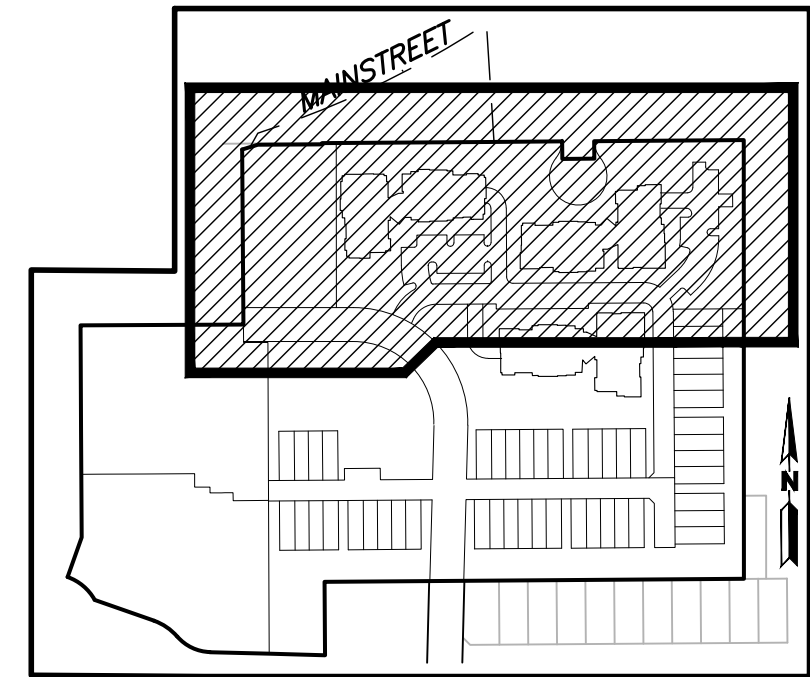
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Surveyed By: RAN Job Number: 17.1060 Sheet Number: ##/## Of 8

Plot Date:  
6/15/2020

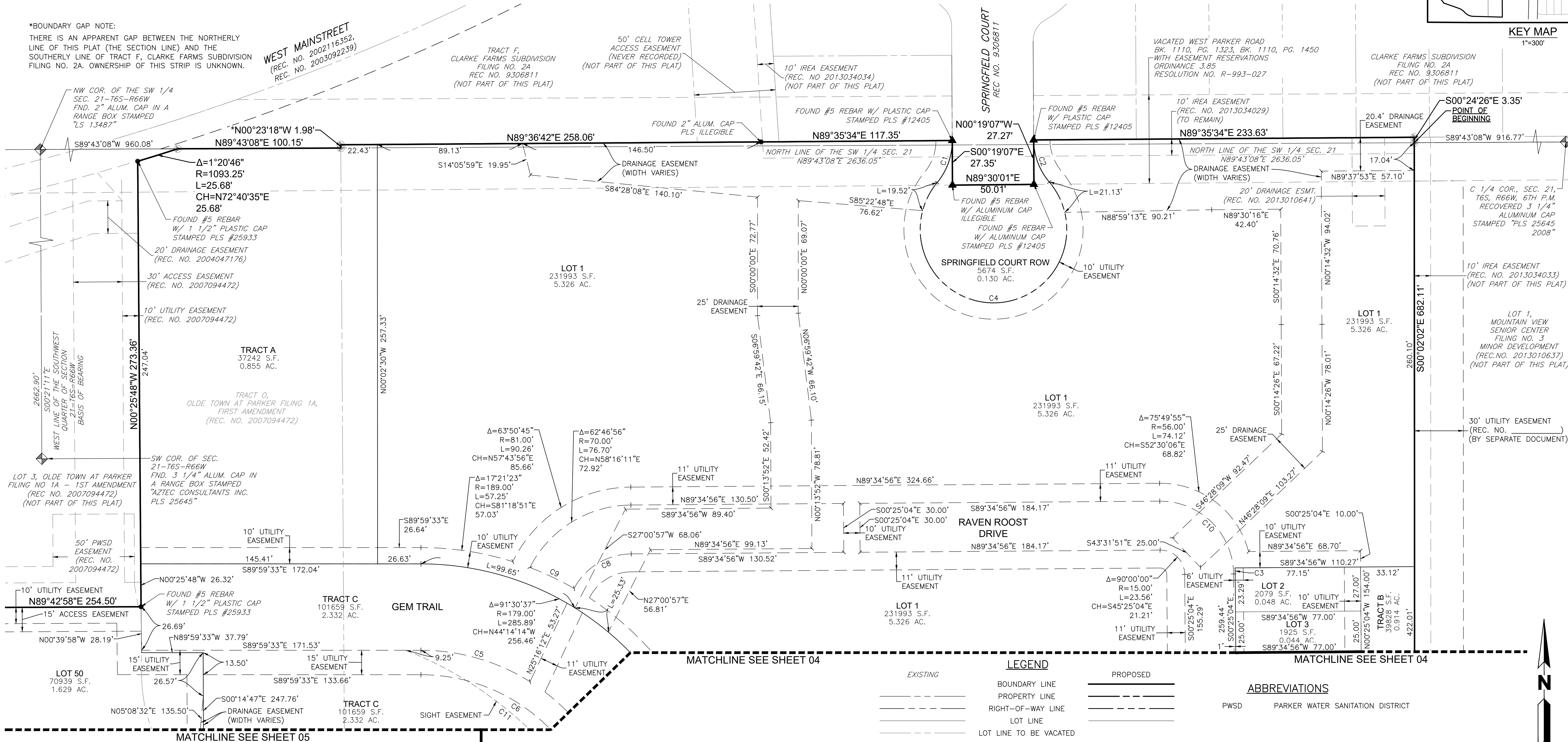


SKETCH/PRELIMINARY PLAN  
OLDE TOWN AT PARKER FILING 2  
A PARCEL OF LAND AND A REPLAT OF TRACT O OF OLDE TOWN AT PARKER FILING  
1A, FIRST AMENDMENT AND LOTS 4B AND 4D OF OLDE TOWN AT PARKER FILING 1A,  
SECOND AMENDMENT BEING A PORTION OF THE WEST HALF OF SECTION 21  
TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE PRINCIPAL MERIDIAN,  
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO  
51 LOTS, 4 TRACTS - 15.369 ACRES  
SHEET 03 OF 08 SHEETS



\*BOUNDARY GAP NOTE:

THERE IS AN APPARENT GAP BETWEEN THE NORTHERLY  
LINE OF THIS PLAT (THE SECTION LINE) AND THE  
SOUTHERLY LINE OF TRACT F, CLARKE FARMS SUBDIVISION  
FILING NO. 2A. OWNERSHIP OF THIS STRIP IS UNKNOWN.



| LEGEND                                                         |                                                                |
|----------------------------------------------------------------|----------------------------------------------------------------|
| EXISTING                                                       | PROPOSED                                                       |
| BOUNDARY LINE                                                  | BOUNDARY LINE                                                  |
| PROPERTY LINE                                                  | PROPERTY LINE                                                  |
| RIGHT-OF-WAY LINE                                              | RIGHT-OF-WAY LINE                                              |
| LOT LINE                                                       | LOT LINE                                                       |
| LOT LINE TO BE VACATED                                         | LOT LINE TO BE VACATED                                         |
| TRACT LINE                                                     | TRACT LINE                                                     |
| SECTION LINE                                                   | SECTION LINE                                                   |
| SIGHT DISTANCE LINE                                            | SIGHT DISTANCE LINE                                            |
| EASEMENT                                                       | EASEMENT                                                       |
| TIE                                                            | TIE                                                            |
| DRIVE                                                          | DRIVE                                                          |
| FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 36580" | FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 36580" |
| FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 38510" | FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 38510" |
| FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 25543" | FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 25543" |
| SET #4 REBAR W/ CAP<br>PLS #23899                              | SET #4 REBAR W/ CAP<br>PLS #23899                              |
| EXISTING PIN                                                   | EXISTING PIN                                                   |
| FOUND MONUMENT AS LABELED                                      | FOUND MONUMENT AS LABELED                                      |

| ABBREVIATIONS |                                  |
|---------------|----------------------------------|
| PWSD          | PARKER WATER SANITATION DISTRICT |

| CURVE TABLE |             |         |            |                 |              |
|-------------|-------------|---------|------------|-----------------|--------------|
| NUMBER      | DELTA ANGLE | RADIUS  | ARC LENGTH | CHORD DIRECTION | CHORD LENGTH |
| C1          | 40°05'11"   | 40.01'  | 27.99'     | S19°44'16"W     | 27.42'       |
| C2          | 40°15'27"   | 39.92'  | 28.05'     | N20°20'39"W     | 27.48'       |
| C3          | 4°37'20"    | 46.00'  | 3.71'      | S02°43'44"E     | 3.71'        |
| C4          | 260°14'19"  | 45.00'  | 204.39'    | N89°39'49"E     | 68.82'       |
| C5          | 32°05'58"   | 126.00' | 70.59'     | S73°56'34"E     | 69.67'       |
| C6          | 91°30'37"   | 111.00' | 177.28'    | S44°14'14"E     | 159.03'      |
| C8          | 61°39'29"   | 40.00'  | 43.05'     | S58°51'26"W     | 41.00'       |
| C9          | 9°23'43"    | 183.27' | 30.05'     | N64°39'12"W     | 30.02'       |
| C10         | 90°00'00"   | 45.00'  | 70.69'     | N45°25'04"W     | 63.64'       |
| C11         | 49°32'57"   | 232.72' | 201.26'    | N43°45'06"W     | 195.05'      |

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LAKEWOOD, CO 80215

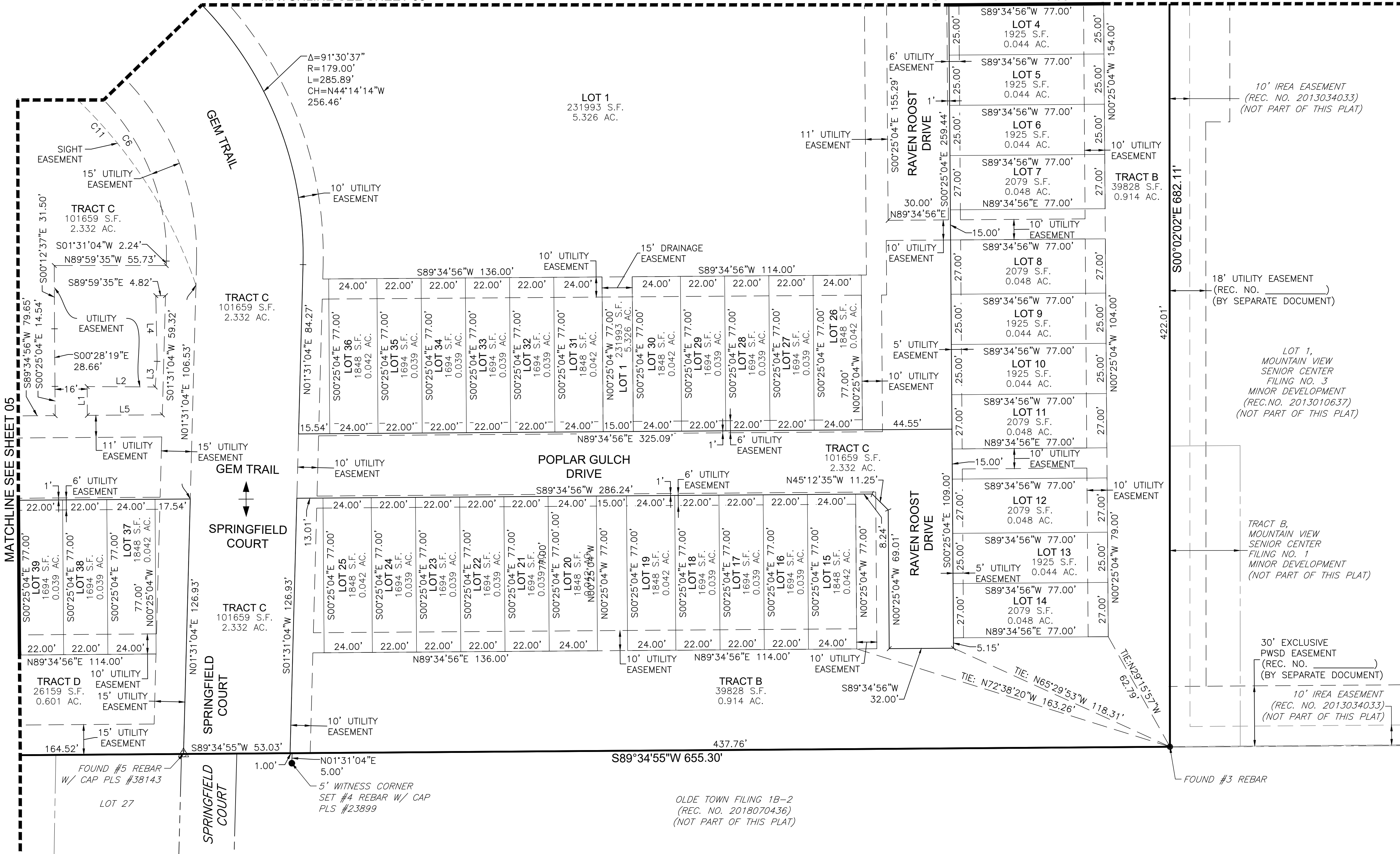
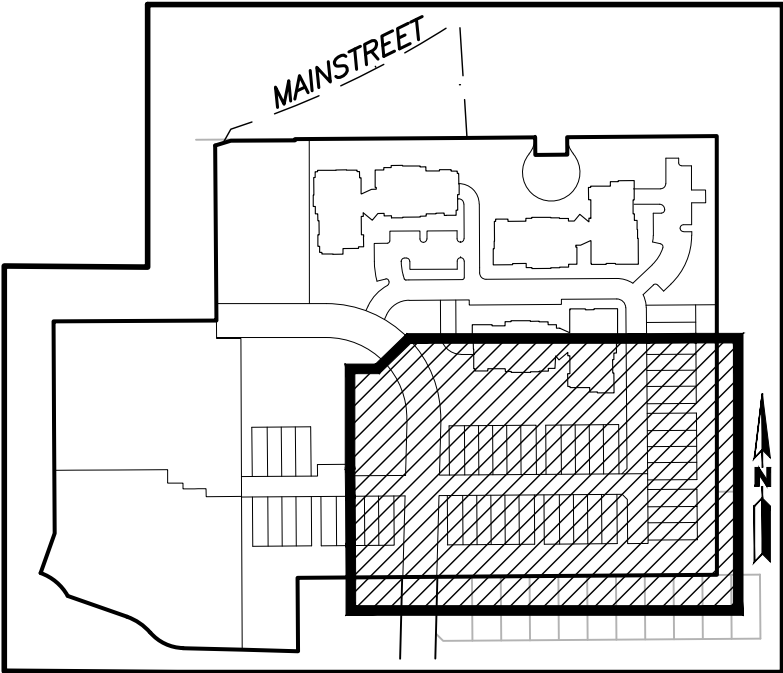
JUNE 05, 2020  
MAY 01, 2020  
FEBRUARY 25, 2020  
NOVEMBER 11, 2019  
APRIL 18, 2019  
SHEET 03 OF 08

MARTIN/MARTIN  
CONSULTING ENGINEERS  
12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215  
303.431.6100 MARTIN.MARTIN@MARTINMARTIN.COM  
SURVEY@MARTINMARTIN.COM

Location: G:\LOVATO\17.1060-Senderos Creek MF\PLANS\SKETCH PLAN\SKETCH PLAN.dwg  
Job Number: 17.1060  
Drawn By: MAM  
Sheet Number: 03 OF 08  
Project Manager: DAK  
Surveyed By: RAN  
Plot Date: 6/15/2020



# SKETCH/PRELIMINARY PLAN OLDE TOWN AT PARKER FILING 2



|                 |                                                               |                 |
|-----------------|---------------------------------------------------------------|-----------------|
| <i>EXISTING</i> |                                                               | <i>PROPOSED</i> |
| _____           | BOUNDARY LINE                                                 | _____           |
| _____           | PROPERTY LINE                                                 | _____           |
| _____           | RIGHT-OF-WAY LINE                                             | _____           |
| _____           | LOT LINE                                                      | _____           |
| _____           | LOT LINE TO BE VACATED                                        | _____           |
| _____           | TRACT LINE                                                    | _____           |
| _____           | SECTION LINE                                                  | _____           |
| _____           | SIGHT DISTANCE LINE                                           | _____           |
| _____           | EASEMENT                                                      | _____           |
| _____           | TIE                                                           | _____           |
| <i>DRIVE</i>    | DESCRIPTIONS                                                  | <i>DRIVE</i>    |
| △               | FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 36580 |                 |
| ○               | FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 38510 |                 |
| △               | FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 25543 |                 |
| ▶               | SET #4 REBAR W/ CAP<br>PLS #23899                             |                 |
| ●               | EXISTING PIN                                                  |                 |
| ▲               | FOUND MONUMENT AS LABELED                                     |                 |

## ABBREVIATIONS

PWSO PARKER WATER SANITATION DISTRICT

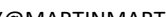
| NUMBER | DIRECTION   | LENGTH |
|--------|-------------|--------|
| L1     | N00°25'04"W | 14.33' |
| L2     | S89°40'17"E | 33.88' |
| L3     | N04°12'05"E | 12.79' |
| L4     | N01°08'57"W | 32.69' |
| L5     | S89°34'56"W | 37.31' |

| CURVE TABLE |             |         |            |                 |              |
|-------------|-------------|---------|------------|-----------------|--------------|
| NUMBER      | DELTA ANGLE | RADIUS  | ARC LENGTH | CHORD DIRECTION | CHORD LENGTH |
| C6          | 91°30'37"   | 111.00' | 177.28'    | S44°14'14"E     | 159.03'      |
| C11         | 49°32'57"   | 232.72' | 201.26'    | N43°45'06"W     | 195.05'      |

**OWNER/DEVELOPER**  
SENDEROS CREEK CONDOS, LLC  
SENDEROS CREEK COMMERCIAL, LLC  
4600 SOUTH SYRACUSE STREET, SUITE 900  
DENVER, CO 80237

**CIVIL ENGINEER/SURVEYOR**  
MARTIN/MARTIN CONSULTING ENGINEERS, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, CO 80215

SHEET 04 OF 08

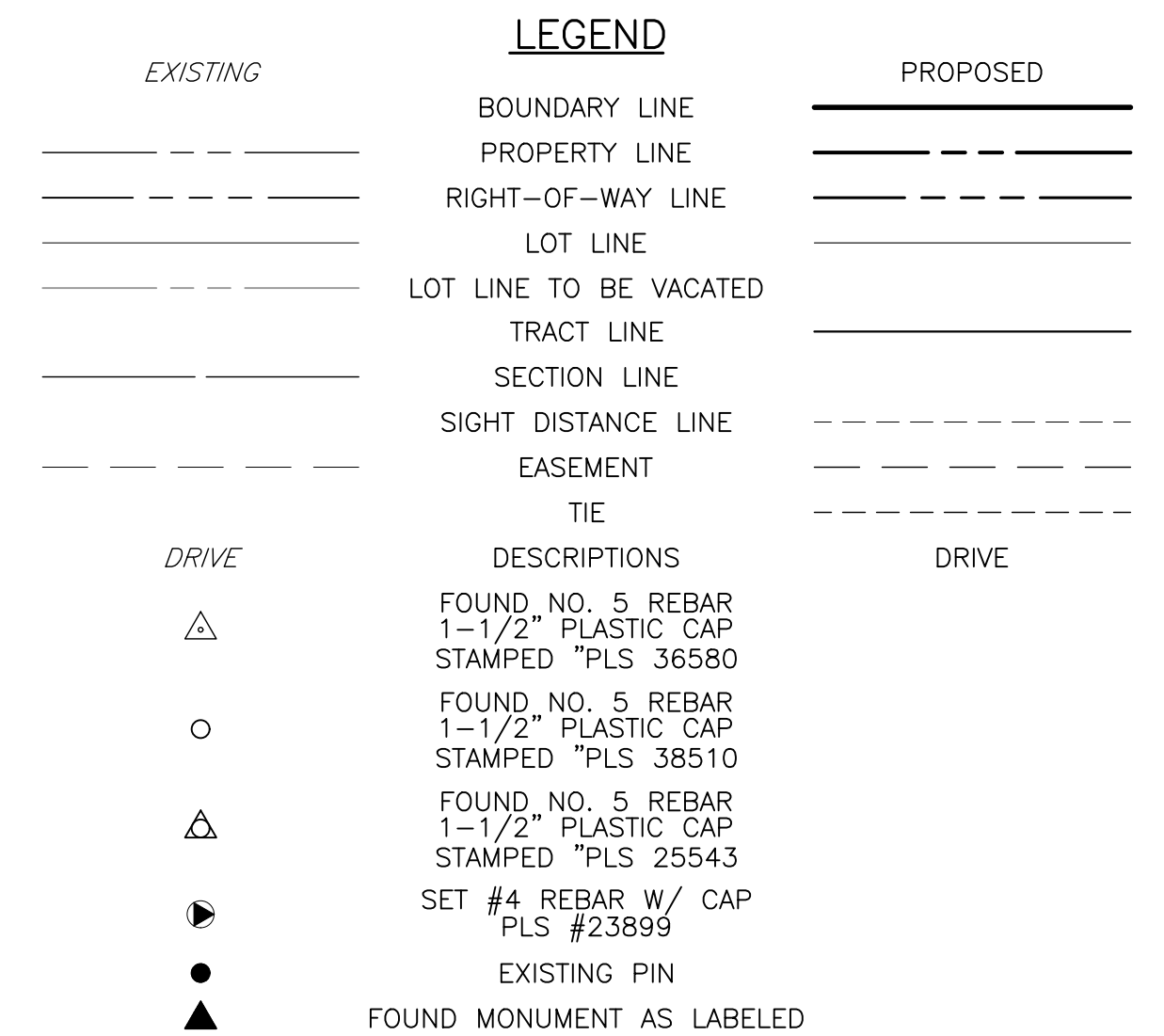


**MARTIN/MARTIN**  
CONSULTING ENGINEERS

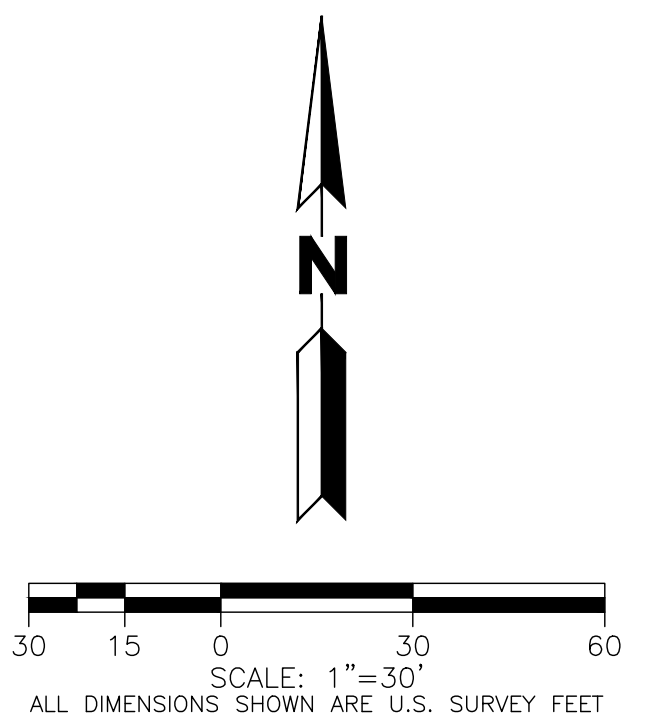
2499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215  
303.431.6100 MARTINMARTIN.COM  
SURVEY@MARTINMARTIN.COM



A PARCEL OF LAND AND A REPLAT OF TRACT O OF OLDE TOWN AT PARKER FILING  
1A, FIRST AMENDMENT AND LOTS 4B AND 4D OF OLDE TOWN AT PARKER FILING 1A,  
SECOND AMENDMENT BEING A PORTION OF THE WEST HALF OF SECTION 21  
TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE PRINCIPAL MERIDIAN,  
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO  
51 LOTS, 4 TRACTS - 15.369 ACRES  
SHEET 05 OF 08 SHEETS



## PWSO PARKER WATER SANITATION DISTRICT



SHEET 05 OF 08

OWNER/DEVELOPER  
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SENDEROS CREEK COMMERCIAL, LLC  
4600 SOUTH SYRACUSE STREET, SUITE 900  
DENVER, CO 80237

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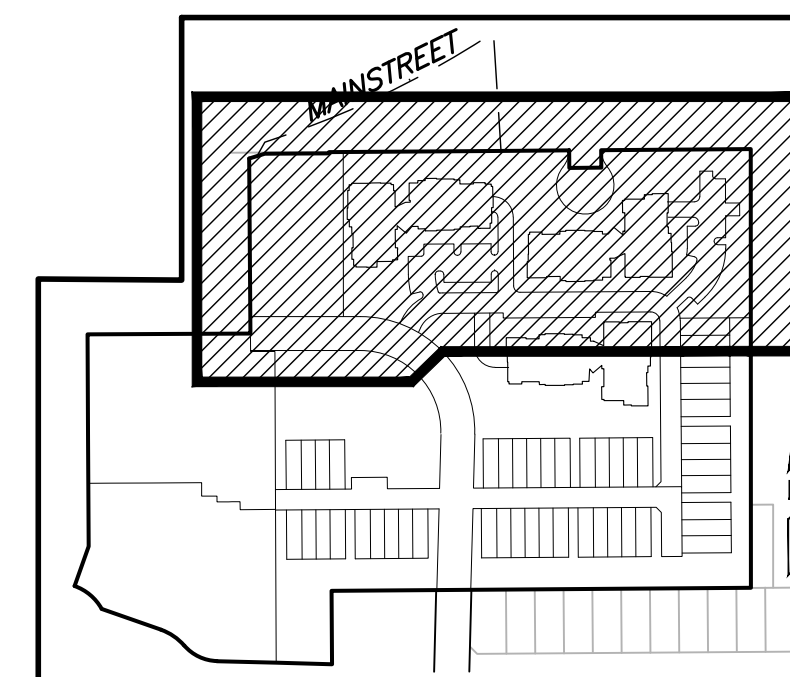
Project Manager: DAK  
Location: G:\LOWATO\17.1060-Senderos Creek WFA\PLANS\SKETCH PLAN\SKETCH PLAN.dwg  
Drawn By: MAM  
Job Number: 17.1060  
Sheet Number: 01-8

Plot Date: 6/15/2020



A PARCEL OF LAND AND A REPLAT OF TRACT O OF OLDE TOWN AT PARKER FILING 1A, FIRST AMENDMENT AND LOTS 4B AND 4D OF OLDE TOWN AT PARKER FILING 1A, SECOND AMENDMENT BEING A PORTION OF THE WEST HALF OF SECTION 21 TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO  
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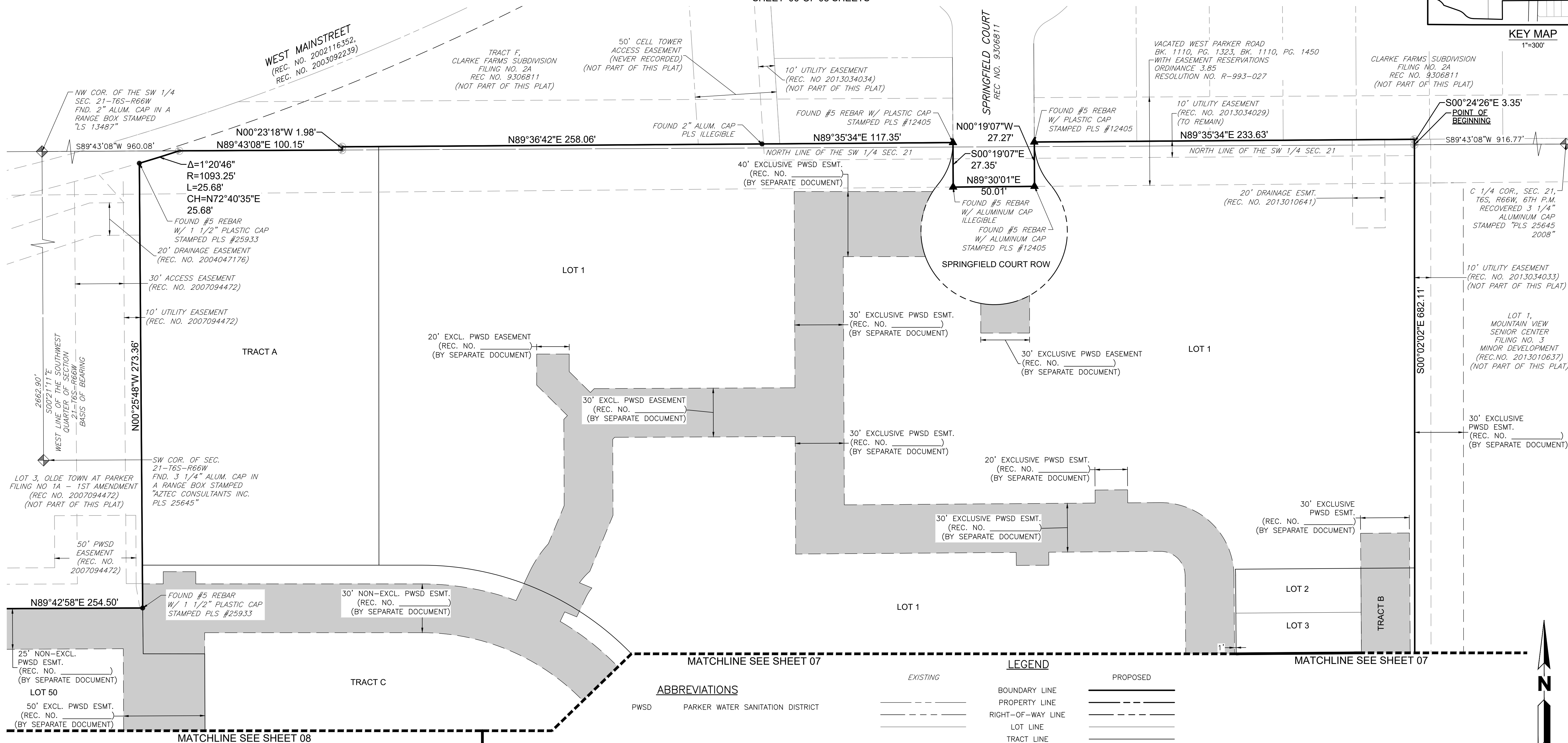
SHEET 06 OF 08 SHEETS



### KEY MAP

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1"=300'



MATCHLINE SEE SHEET 07

## ABBREVIATIONS

PWSD PARKER WATER SANITATION DISTRICT

EXISTING

### LEGEND

PROPOSED

DRIVE

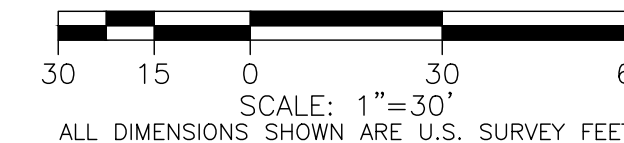
## DESCRIPTIONS

DRIVE

FOUND NO. 5 REBAR  
1-1/2" PLASTIC CAP  
STAMPED "PLS 36580  
FOUND NO. 5 REBAR  
1-1/2" PLASTIC CAP  
STAMPED "PLS 38510  
FOUND NO. 5 REBAR  
1-1/2" PLASTIC CAP  
STAMPED "PLS 25543  
SET #4 REBAR W/ CAP  
PLS #23899

EXISTING PIN  
FOUND MONUMENT AS LABELED

# AN



JUNE 05, 2020  
MAY 01, 2020  
FEBRUARY 25, 2020  
NOVEMBER 11, 2019  
APRIL 18, 2019

SHEET 06 OF 08

SHEET 06 OF 08



MARTIN/MARTIN  
CONSULTING ENGINEERS

12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80226  
303.431.6100 MARTINMARTIN.COM  
SURVEY@MARTINMARTIN.COM

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DENVER, CO 80237

CIVIL ENGINEER/SURVEYOR  
MARTIN/MARTIN CONSULTING ENGINEERS, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, CO 80215

Project Manager: DAK  
Location: G:\LOVATO\17.1060-Senderos Creek MF\PLANS\SKETCH PLAN\EASEMENT DEDICATION.dwg  
Surveyed By: RAN  
Job Number: 17.1060  
Sheet Number: 8 OF 8

Plot Date:  
6/15/2020



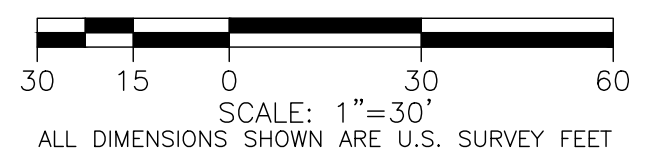
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51 LOTS, 4 TRACTS - 15.369 ACRES

SHEET 07 OF 08 SHEETS



## ABBREVIATIONS

PWSD PARKER WATER SANITATION DISTRICT



JUNE 05, 2020  
MAY 01, 2020  
FEBRUARY 25, 2020  
NOVEMBER 11, 2019  
APRIL 18, 2019

SHEET 07 OF 08<sup>N</sup>

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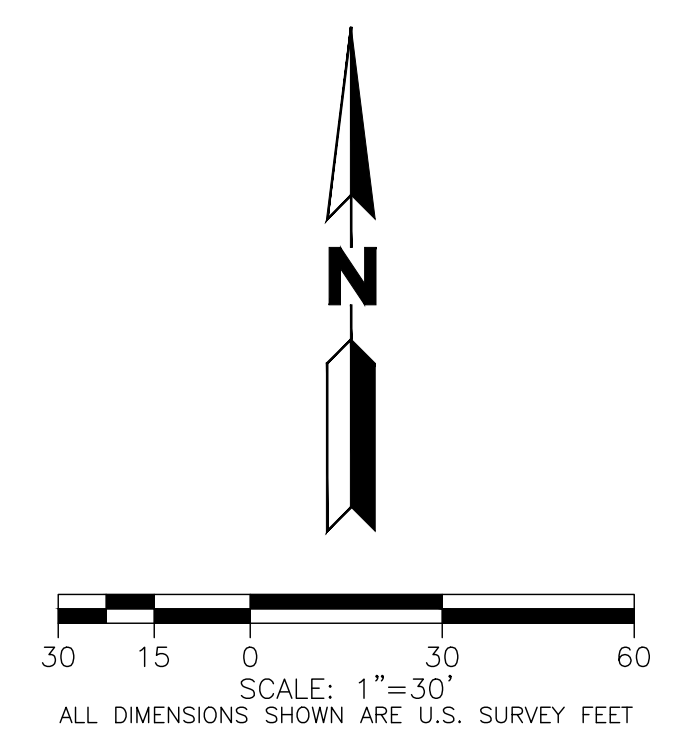
Project Manager: \_\_\_\_\_  
 DAK \_\_\_\_\_  
 Location: \_\_\_\_\_  
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Surveyed By: \_\_\_\_\_  
 RAN \_\_\_\_\_  
 Drawn By: \_\_\_\_\_  
 MAW \_\_\_\_\_  
 Job Number: 17.1060  
 Sheet Number: ## OF 8

Plot Date: 6/15/2020



A PARCEL OF LAND AND A REPLAT OF TRACT O OF OLDE TOWN AT PARKER FILING  
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SHEET 08 OF 08 SHEETS



JUNE 05, 2020  
MAY 01, 2020  
FEBRUARY 25, 2020  
NOVEMBER 11, 2019  
SHEET 08 OF 08 APRIL 18, 2019

OWNER/DEVELOPER  
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Project Manager: \_\_\_\_\_  
 DAK \_\_\_\_\_  
 Location: \_\_\_\_\_  
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Surveyed By: \_\_\_\_\_  
 Drawn By: \_\_\_\_\_  
 Job Number: 17.1060  
 Sheet Number: \_\_\_\_\_  
 OF 8  
 #/##  
 MAN \_\_\_\_\_

Plot Date:  
6/15/2020





May 16, 2019

Carolyn Parkinson  
Town of Parker  
Community Development Department  
Town Hall  
20120 East Mainstreet  
Parker, CO 80138

**RE: Olde Town at Parker PD / Senderos Creek North Rezoning Z19-014, Sketch Plan SUB19-015,  
Preliminary Plan SUB19-014, and Site Plan SP19-043**

Dear Ms. Parkinson;

On behalf of Douglas County School District (DCSD), we have a couple comments regarding these applications that we would like to resolve prior to approval.

According to Senderos Creek North Project Narrative, the applicant proposes 48 townhomes and 108 condominium units on 12.2-acres. These 156 dwelling units are estimated to generate 27 elementary school students, 8 middle school students, and 17 high school students. DCSD has calculated the amount of school site land dedication requirement for this project totaling 1.236-acres of land. Since this amount of land is not enough to serve as a school site or for other school purposes, DCSD would ask for cash-in-lieu of land.

Pursuant to Section 13.07.140 (d), (6), (c) of the Parker Development Code, "The cash-in-lieu fee shall be equivalent to the full market value of the acreage required for school land dedication. Value shall be based on anticipated market value after completion of platting and construction of public improvements. The applicant shall submit a proposal for the cash-in-lieu-fee and supply the information necessary for the Town Council to evaluate the adequacy of the proposal. This information shall include at least one (1) appraisal of the property by a qualified appraiser." DCSD requests receipt of a courtesy copy of the appraisal at the time of site plan approval.

Additionally, DCSD would ask for a voluntary mid-range contribution towards the Capital Mitigation component to be paid directly to the District. In this case the contributions would amount to \$921 per residential unit to be paid to DCSD at the time of site plan approval

Since internal streets are private, school bus transportation will not be provided within the subdivision.

We would like to have these agreements as conditions of approval for the application to move forward.. Thank you for your support of our mutual constituents!

Sincerely,

**SCO Consulting, LLC**

A handwritten signature in black ink that reads "Steve Ormiston". The signature is written in a cursive, flowing style.

Steve Ormiston  
Consultant to DCSD

Drayton Sanderson

Parker Water and  
Sanitation District 20

This project is not in Parker Water and Sanitation District. PWSD will not approve any items or review this project until the property includes into PWSD.

5/15/2019 1:41:03 PM

Chuck Reid

Cherry Creek Basin  
Water Quality Authority  
20

The Authority's CR 72 requires construction and post-construction BMPs. No exceptions taken to the proposed construction and post-construction BMPs provided with this submittal.

5/30/2019 3:58:47 PM

Brooks Kaufman

IREA  
20

The Association has reviewed the contents in the above-referenced referral response packet. We reviewed the project for maintaining our existing facilities, utility easements, electric loading, and service requirements. We are advising you of the following concerns and comments:<br>The Association has existing overhead electric facilities on the subject property that serves the existing cell tower. The Association will maintain these existing utility easements and facilities unless otherwise requested by the applicant to modify them under the Association's current extension policies. In addition the applicant is missing IREA easements that encumber the property, and should be added to the plat.<br>The Association will require utility easements to accommodate the installation of rear-lot design for electric facilities in this project. A ten-foot (10") easement on all rear lot line. <br>The Association will require the proposed utility easements to be changed to accommodate the installation of electric facilities in this project. The smaller width easements depicted on the sketch and preliminary plan will create difficulties during installation of dry utilities due to the limited amount of space made available to extend underground electric feeders for the overall development.

6/7/2019 9:47:46 AM

Randy Capra

FIRE LIFE  
SAFETY 20

Fire Life Safety Response has been uploaded as a document named "SUB19-014 Olde Town-Senderos Creek North Preliminary Plan Fire Life Safety Response Ltr 060719"

6/7/2019 11:30:36 AM

Randy Capra

Building  
20

Building permit application will not be accepted/reviewed until the associated site plan is approved. All plans submitted for Building's review must meet the 2018 I-Codes, the 2017 NEC, and the correctly referenced NFPA editions noted in applicable codes (i.e. 2018 IFC references the 2016 edition of NFPA 72). NFRC certificates, interior/exterior lighting along with the mechanical and envelope compliance path must be included with the original submittal. All Fire Permit applications and inspections will be handled through the Parker Building Division. All land use applications and the associated Grading Permit must be approved/issued per Planning and Public Works prior to the Building Permit being approved/issued. Note - a building permit is required for commercial fencing,

pergolas, outbuildings, outdoor lighting, and for retaining walls that are four feet or taller... as measured from the base of the retaining wall footing.

6/7/2019 11:31:12 AM

Donna George

Public Service Company of Colorado 20

please see attached

6/7/2019 2:45:34 PM

Dylan Heberlein

Centennial  
Airport 20

• 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 aviation easement is recommended for development within the AIA.<br><br>• We highly recommend the execution of an aviation easement for the property. Please forward a copy of the recorded easement to our office. Book and page number of the aviation easement must be included on all plats and plans.<br><br>• An overflight disclosure is recommended to be provided to both present and future residents.

6/11/2019 11:21:10 AM

Chris Boyd

Douglas  
County  
Planning  
Services  
Division 20

Addressing Comments:<br>The accesses/ROWs will require approved street names to be placed on the final plat. You may begin proposing street names for approval to be placed on the final plat. Please follow these instructions to find possible names to propose:<br>In the Search box from [www.douglas.co.us](http://www.douglas.co.us) enter a query such as NAMING STREETS. The results should include a link called ADDRESSING AND STREET NAMING - DOUGLAS COUNTY COLORADO. This will take you to a page with a link called DOUGLAS COUNTY STREET NAME REFERENCE which will open a list of all the streets currently in our database. On the next screen, click on EXPLORE DATA, then VIEW DATA. To make sure all names have been placed alphabetically in the list, it is a good idea to click on the column titled STREET\_NAME. <br>An associated instruction pdf for using this list can be found by clicking on the red ABOUT box in the upper right corner, then scrolling down to the ATTACHMENT called HOW TO NAME STREETS IN DOUGLAS COUNTY.pdf. <br>The list is easiest to use if downloaded to Excel by clicking on the light blue EXPORT button and choosing CSV FOR EXCEL. <br>The dark blue FILTER button may also be used. If filtering, click on ADD A NEW FILTER CONDITION and change STREET\_EID to STREET\_NAME. Then change IS to CONTAINS. From that point the proposed name can be typed into the query box and the Enter button will bring up existing results.<br><br><br>Engineering Comments:<br>No Comments<br><br><br>Planner Comments: <br>No Comments

6/11/2019 3:43:05 PM

Carolyn Parkinson

PRELIMINARY PLAN 20

Please see redline and Development Review Memo  
6/17/2019 5:55:52 PM

Abby Hildebrandt

Parker Water and Sanitation  
District 15

Approved for preliminary plan. All PWSD comments will be made on the  
Site Plan.

12/4/2019 1:28:31 PM

Carolyn Parkinson

Urban Drainage and Flood Control 15

Per attached comment letter

12/9/2019 4:11:05 PM

Brooks Kaufman

IREA  
15

The Association approves of the sketch and preliminary and request at final plat to add utility  
easements as shown on Sheet 4 markup to the plat.

12/13/2019 7:55:02 AM

Donna George

Public Service  
Company of  
Colorado 15

PSCo acknowledges all comment responses and requested changes made to the  
drawings. Is it possible that the wording of "easements" for Tract B in the Tract  
Summary Table is changed to "utilities" or "utility crossing"?

12/16/2019 1:58:20 PM

Chuck Reid

Cherry Creek Basin Water Quality Authority 15

No exceptions taken to this submittal.

12/16/2019 3:52:46 PM

Carolyn Parkinson

PRELIMINARY PLAN 15

Please see 2nd Development Review Memo and redlines attached

12/18/2019 9:35:43 AM

David Aden

CONSTRUCTION PLANS - TRAFFIC

Review voided by dade.

1/16/2020 8:10:37 PM

Randy Capra

FIRE LIFE  
SAFETY 10

A response letter named "RFCC SUB19-014 Olde Town-Senderos Creek North Preliminary Plan 3rd Fire Life Safety Response Ltr 031919" has been uploaded to application. This letter documents that the applicant needs to modify the utility drawings labeling the actual size and length of each fire line prior to sign off.

3/19/2020 10:21:41 AM

Dylan Heberlein

Centennial  
Airport 10

Thank you for the opportunity to review this Subdivision Preliminary Plan, the Arapahoe County Public Airport Authority has the following comments to make on the project:

- 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 the AIA.
- We highly recommend the execution of an avigation easement for the property. Please forward a copy of the recorded easement to our office. Book and page number of the avigation easement must be included on all plats and plans.
- An overflight disclosure is recommended to be provided to both present and future residents.

Please feel free to call me if you have any questions.

3/26/2020 1:35:50 PM

Donna George

Public Service Company of Colorado 10

no additional concerns at this time

3/30/2020 12:39:10 PM

Rich Borchardt

Cherry Creek Basin Water  
Quality Authority 10

The Authority's CR 72 requires construction and post-construction BMPs.  
No exceptions taken to the submittal.

3/30/2020 4:44:36 PM

Tyler Sandt

CONSTRUCTION PLANS -  
CIVIL

Applicant coordinating with the Town on the required sidewalk  
easement.

4/6/2020 9:34:22 AM

Carolyn Parkinson

PRELIMINARY PLAN 10

Please see 3rd development review memo and redlines attached.

4/6/2020 10:02:15 AM

Carolyn Parkinson

PRELIMINARY PLAN 10

Planning has no additional comments. However, Aztec does.

5/15/2020 5:00:20 PM

Tyler Sandt

CONSTRUCTION  
PLANS - CIVIL

The Town has provided the applicant with the necessary sidewalk and drainage easements. Engineering cannot sign off on sketch and preliminary until those signed easements have been delivered to the Town.

5/19/2020 1:10:07 PM

Tyler Sandt

CONSTRUCTION PLANS - CIVIL

Billing associated with recording easement docs.

6/9/2020 9:19:53 AM

Dean Cates

AzTec Consultants, Inc. 10

I don't need to review this submittal again. Just fix the typo on sheet 6.  
DEC

6/12/2020 9:39:57 AM



CENTENNIAL AIRPORT  
ARAPAHOE COUNTY PUBLIC AIRPORT AUTHORITY  
7800 South Peoria Street, Unit G1  
Englewood, Colorado 80112  
main: 303.790.0598  
fax: 303.790.2129  
www.centennialairport.com

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March 26, 2020

Ms. Carolyn Parkinson  
Town of Parker, Colorado Community Development Department  
20120 East Mainstreet  
Parker, CO 80138

Re: SUB19-014; Olde Town/Senderos Creek North Preliminary Plan

Dear Ms. Parkinson,

Thank you for the opportunity to review this Subdivision Preliminary Plan, the Arapahoe County Public Airport Authority has the following comments to make on the project:

- 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 the AIA.
- We highly recommend the execution of an avigation easement for the property. Please forward a copy of the recorded easement to our office. Book and page number of the avigation easement must be included on all plats and plans.
- An overflight disclosure is recommended to be provided to both present and future residents.

Please feel free to call me if you have any questions.

Sincerely,

Rachel Keller  
Noise & Planning Specialist



# SENDEROS CREEK NORTH

---

PROJECT OVERVIEW  
APRIL 2020





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|           | PARKER 2035: CHANGES AND CHOICES (MASTER PLAN)                   |
|           | MASTER PLAN VISION AND GUIDING PRINCIPLES (CHAPTER 5)            |
| <b>22</b> | LAND USE: GOALS AND STRATEGIES (CHAPTER 6)                       |
| <b>23</b> | TOWN APPLICATION CRITERIA                                        |

UPDATED: MARCH 2, 2020

Ms. Carolyn Parkinson  
Planner  
Town of Parker  
20120 E. Mainstreet  
Parker, CO 80138

Dear Ms. Parkinson:

We are pleased to submit this letter and associated documents on behalf of our client, Senderos Creek Condos, LLC, for a formal request to consider approval of a Preliminary Plan (**SUB19-014**), a Sketch Plan (**SUB19-015**), a Site Plan (**SP19-043**), and an amendment to the existing Old Towne at Parker PD Development Plan (**Z19-014**). This letter provides an overview of the project application, proposed process, and specific project components. Below we have listed the various project contacts and consultants.

**Applicant and Current Owner**

Senderos Creek Condos LLC  
4600 S. Syracuse St. Suite 900  
Denver, CO 80237  
907-299-6811  
Contact: Bryan Byler

**Planner/ Landscape Architect**

Norris Design  
1101 Bannock St.  
Denver, Colorado 80204  
303-892-1166  
Contact: Bill Mahar

**Architect**

Godden Sudik Architects  
5975 S. Quebec St.  
Centennial, CO 80111  
303-455-4437  
Contact: Alex Duran

**Civil Engineer**

Martin/Martin  
12499 West Colfax Ave.  
Lakewood, CO 80215  
303-730-0434  
Contact: Ben Baltzer

**Photometrics**

Studio Lightning  
63 Sunset Dr.  
Bailey, CO 80421  
303-242-1572  
Contact: Jacob Bennefield

This proposal involves applications for sketch and preliminary plans, site plan, and a PD development guide and plan amendment. The PD amendment will include a portion of Olde Town subdivision Planning Area 1, a commercial planning area, as part of Planning Area 9. The PD Guide revisions will create two new planning areas, Planning Area 9 and Planning Area 10. Planning Area 10 will feature townhomes and Planning Area 9 will feature condominiums.

Enclosed along with this letter please find the following documents:

1. 1. PD Development Guide draft amendment and draft PD Development Plan documents and application
  - a. Land Use Application
  - b. Exhibit A – Legal Description of Property
    - i. Overall Legal
    - ii. PA-9 Legal
    - iii. PA-10 Legal
    - iv. Sketch Plan Legal
  - c. Exhibit B – Title Commitment
  - d. Exhibit C – Notarized Letter of Authorization
  - e. Exhibit D – Disclosure Letter
  - f. Exhibit E – Vicinity Map of Project Site
2. Sketch and Preliminary Plan documents and applications
  - a. Land Use Application
  - b. Exhibit A – Legal Description of Property
    - i. Overall Legal
    - ii. PA-9 Legal
    - iii. PA-10 Legal
    - iv. Sketch Plan Legal
  - c. Exhibit B – Title Commitment
  - d. Exhibit C – Notarized Letter of Authorization
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  - f. Exhibit E – Vicinity Map of Project Site
3. Site Plan documents and applications
  - a. Land Use Application
  - b. Exhibit A – Legal Description of Property
    - i. Overall Legal
    - ii. PA-9 Legal
    - iii. PA-10 Legal
    - iv. Sketch Plan Legal
  - c. Exhibit B – Title Commitment
  - d. Exhibit C – Notarized Letter of Authorization
  - e. Exhibit D – Disclosure Letter
  - f. Exhibit E – Vicinity Map of Project Site
4. Final Drainage Report
5. Geology and Soils Report

6. Traffic Impact Analysis
7. Water and Sanitation Construction Documents
8. Road and Drainage Construction Documents
9. Adjacent Property Perspective Exhibit
10. Detention Pond and Streetscape Exhibit

## PROJECT NARRATIVE

### SITE LOCATION

The proposed development of Senderos Creek North is currently a 12.2 acre unplatted parcel of land that is located within the corporate limits of the Town of Parker. The site is bounded on the east by the American Academy at Motsenbocker and to the west by the Mainstreet Dental Plaza commercial development. To the north of the site is a single-family residential neighborhood and to the south is the Senderos Creek Neighborhood that is currently under development. A series of townhomes are located to the southwest of the site and there is an existing cell tower located on the site. This project is part of the larger Olde Town subdivision and approval of the project will complete development of the subdivision that has remained unfinished since the recession.

### PROJECT OVERVIEW

The neighborhood currently known as Senderos Creek was originally platted as Olde Town at Parker in 2003 encompassing approximately 117.37 acres. The neighborhood was designed to incorporate a mix of land uses centered around a neighborhood activity center that featured a park. Following initial approval of the PD some of the established planning areas were built out. Completion of the neighborhood eventually came to a halt with the onset the recession and the original developer left the project. In 2016 Pacific North acquired the land and renewed work on the unfinished subdivision.

The drawing of the subdivision on the next page illustrates the proposed development of the Olde Town at Parker Subdivision that was approved in 2017. This subdivision provides for single family detached homes, paired homes, green courts, and open spaces. The graphic also represents proposed pool and pool house improvements for the neighborhood park area. The proposed Senderos Creek North project is identified as well. All of these projects will ultimately finalize the build-out of the neighborhood. Upon completion of these new homes, parks, and roadway connections they will improve the aesthetic quality of the neighborhood and overall livability.





MAINSTREET

FUTURE OFFICE /  
COMMERICAL

PROPOSED SENDEROS CREEK  
NORTH TOWNHOMES  
& CONDOMINIUM PROJECT

OLDE TOWN AT PARKER  
APPROVED 2017

POOL & PARK IMPROVEMENTS  
APPROVED 2018

E. NEUTOWNE PKWY

MOLSENBOCKER RD.

OLDE TOWN AT PARKER  
APPROVED 2017

JORDAN RD.

TODD RD.



The completion of this neighborhood will include upgrades to the landscaping along Neu Towne Parkway and entrance signage at the intersection of Neu Towne Parkway and Motsenbocker and the intersection of Neu Towne Parkway and Jordan Road. The pool and poolhouse within the proposed neighborhood park were initially approved in the early 2000s but were never built by the previous developer. The current applicant and developer has committed to develop the pool and poolhouse. Plans for the pool and poolhouse have been approved and construction is near completion and will be open for the 2020 season.

As this site is the last agriculturally zoned site within the Senderos Creek neighborhood, approval of the project will result in the full realization of the Olde Town subdivision. By incorporating a variety of housing types, this proposal promises to meet the “full service community” vision laid out in the Town’s 2035 Master Plan.

The proposed project will address a significant housing need in the Town of Parker by offering owner-occupied townhomes and condominiums. Townhomes and condominiums currently account for only 10% of the Town’s housing stock per the 2035 Master Plan. Inclusion of these housing types will expand housing options within the town and help to diversify homeownership in Parker by meeting the needs of a wide range of the population from young families, professionals and retired individuals.

As part of the PD Amendment, a portion of the commercial land to the west of the site will be included as part of Planning Area 9. Following the approval of the residential site plan the developer will begin work on the proposal for a complementary commercial site plan for the commercial land to the west of the site.

POOL & POOLHOUSE CONCEPT RENDERINGS





## ACCESS & CONNECTIVITY

The pedestrian network is an important component of the development and the project is designed to be walkable with pedestrian connections between homes and the open space and park areas. The primary entrance to the townhomes will be from the front and will be accessed via sidewalks. The planned pedestrian network will connect to the established sidewalks and trails established within the overall neighborhood, which will include safe and easy access to the proposed neighborhood pool and park. Furthermore, this development will connect to established regional trails along Todd Drive and the Cherry Creek Trail.

The proposal includes private drives and common open space tracts including courtyards and parks. Located by the intersection of Jordan Road and Mainstreet, the site has good transportation connections to major transportation corridors such as I-25 and Parker Road. The proposal includes a street extension that will connect the currently stubbed E. Springfield Court to the adjacent commercial/office space to the west of the site.

Primary access to Senderos Creek North will be provided by Mainstreet to the north and E. Springfield Court to the south. An internal network of private drives will connect the public rights-of-way to the individual lots and condominium buildings. The private drives will be owned and maintained by the metropolitan district and have been designed using the Town of Parker horizontal and vertical criteria. Pedestrian access will be provided by the sidewalks and trails shown on the plans. Emergency access is provided using the network of private drives. Please see the provided construction documents and preliminary plan for additional information on the transportation improvements.

## SITE DETAILS

The proposed development is in line with the design approach of the previous Senderos Creek filings, addressing all required site components and responding to the surrounding context of the site appropriately as the final piece of the Olde Town subdivision. The community includes the following:

- Forty-eight (48) Single-Family Attached Townhomes
- Six multiple dwelling condominium buildings with a total of 108 residential dwelling units
- An overall residential density of 12.8 DU/AC
- The proposed residential neighborhood meets and exceeds the required parking as specified by the Town of Parker.
- A walkable connection to the adjacent commercial area, including enhancements to the proposed office development. These two developments are designed to blend seamlessly with one another through pedestrian connections and landscaping, providing an appropriate mix of land uses as envisioned in the “full service community” directive of the Parker

## 2035 Master Plan.

The previous filings of the surrounding developments have guided the design of this community as it responds to the site's context resulting in added benefits for community members.

- The site will feature a centrally located community park, playground, and dog park as well as open space amenities adjacent to the proposed buildings including gathering spaces and community gardens.
- The community will have pedestrian access to the neighborhood activity center located to the south which features a public park, playground, pool, and poolhouse.
- The neighborhood will be in walking distance to the adjacent American Academy Motsenbocker K-8 school, providing families safe, convenient access to a local school.

The rendering on the following page provides an overview of the park areas and show the main private drive that connects to E. Springfield Ct. on the south and the commercial to the west.

In addition to the existing amenities within the overall neighborhood, the developer will be providing the following neighborhood improvements:

- A trail connection linking Iron Ore Avenue to the Town's East/West Trail along Todd Drive.
- A sidewalk connection to the American Academy to allow safe passage for children traveling to school.
- Planting and re-plantings of over 100 trees that were either never installed during the initial neighborhood development prior to the recession or had since died.
- Landscape improvements along Motsenbocker Road.
- Neighborhood signage to be featured at the intersections of Jordan Road and E. Neu Towne Parkway, Motsenbocker Road and E. Neu Towne Parkway, and at the proposed northern site entrance along Mainstreet.

Completion of the 3,000 ft<sup>2</sup> neighborhood pool and adjacent poolhouse which are scheduled to open Summer 2020.







## OVERALL DENSITY

The original Olde Town at Parker PD established a maximum allowable density of 5.23 DU/AC for the overall community. The PD was restructured in 2017 via an amendment which resulted in the maximum allowable density being reduced to 4.51 DU/AC. This reduction in density was the result of certain Planning Areas being converted from multi-family to single-family use.

Our current proposal adds 12.2 acres to the overall area of the PD and introduces a condominium component to the community. This addition would result in an increase of the maximum allowable density to 5.28 DU/AC which is similar to the maximum overall density of 5.23 DU/AC established with the original Olde Town at Parker PD.

Additionally, the design team took special care to ensure that adding multifamily units to the community was handled in a thoughtful manner. One of the results of this was choosing to reduce the maximum allowable density for Single Family Attached products. The 2017 PD Amendment established a maximum allowable density of 15 DU/AC for Single Family Attached. That maximum allowable density is being reduced to 11.08 DU/AC with this proposal.

| PD Amendment        | Acres  | Actual |         | Max. Allowable |         |
|---------------------|--------|--------|---------|----------------|---------|
|                     |        | Units  | Density | Units          | Density |
| Original PD - 2003  | 117.37 | 595    | 5.07    | 614            | 5.23    |
| PD Amendment - 2017 | 117.37 | 493    | 4.20    | 529            | 4.51    |
| PD Amendment - 2020 | 129.53 | 649    | 5.01    | 684            | 5.28    |

## ARCHITECTURE CONCEPT

The condominium buildings at Senderos Creek feature three 3-story residential buildings over underground parking. The underground parking allows for reduced surface parking and allows for more landscaped areas on grade. The buildings feature two examples of contemporary styling with earth-tone color palettes to better fit in with the established character of the Town of Parker and that of the surrounding neighborhood architecture as well. The buildings feature ground floor patios on all sides to enhance pedestrian activation as well as prominent pedestrian entry points on multiple sides of the buildings.

The townhomes at Senderos Creek provide three different styles consisting of different material palettes, color schemes, and roof forms. The majority of the townhomes will front onto green courts. The styles range from a more traditional style to a complementary, more contemporary style. The townhome buildings will complement the site's condominium homes to create a cohesive neighborhood, while still providing diverse housing options within the neighborhood.

The predominant portion of any building shall not exceed 35 feet in height which is the max building height for multi-family. Ornamental architectural elements or appurtenances such as stair towers, entry and corner design features, or cupolas shall not exceed 45 feet in height.

To further integrate the neighborhood with the adjacent commercial development, the architecture of both developments are designed to be complementary with one another. The commercial development provides a modern prairie 2-story structure that allows the area to step up from single story retail to the 2 & 3 story residential structures. Both developments utilize a blend of stucco and stone with accents of large block masonry as well as elements of storefront glass. The color palettes are similar, utilizing earth tone colors that complement the surrounding neighborhood.













Mainstreet

Mainstreet Professional Dental Plaza

American Academy at Moisenbocker

Expanded Connectivity to Existing Neighborhood Commercial

Trail Connection to School

Neighborhood Activity Center/Community Pool

E. Neu Towne Parkway

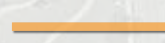
Moisenbocker Road

Regional Trail Connection

Regional Trail Connection

Todd Road

Jordan Road

 Existing Walks/Trails

 Proposed Walks/Trails

 Trail Connection



## LANDSCAPE, PARK AREAS, AND RELATIONSHIP TO PROPOSED BUILDINGS

Understanding the importance of open space as a Town value, the plan incorporates high-quality landscaping and open space amenities to enhance the proposed dwellings and streets and create a pedestrian friendly neighborhood. These components of the site design give the proposed community a more active feel resulting in opportunities for residents to routinely interact with the open spaces and amenities. Landscaped tree lawns enhance the streetscape and encourage pedestrian travel and active lifestyles. A central park, playground, and dog park will tie the two planning areas together and offer residents neighborhood amenities that are walkable. The placement of the condominium buildings will create a node that offers a distinct streetscape experience along the private drive. Furthermore, the condominium buildings will feature courtyards and community gardens giving the buildings a front porch feel. The proposed townhome areas are designed to encourage walkability and connections to the open spaces and parks. In specific areas green spaces separate the buildings to provide additional landscaped areas, pedestrian connections, viewsheds, and break up the building massing. Landscape buffering will be used between the site and the adjacent neighborhoods, from the commercial district to the west, and from the school to the east.

The proposed landscape and park area allocations comply with the requirements in the Town of Parker Zoning Ordinance.

- Total landscape area: 295,313 sf

The proposed park and open space for this project have been distributed into Landscape and Parkland Areas. Cumulatively they account for 55.8% of the site or 6.8 acres. In addition to the included open space within the development, the site is located just north of the planned neighborhood activity center and recreation center that have been improved by Senderos Creek LLC through the inclusion of the pool, poolhouse, and additional landscaping, including the planting of over 100 trees throughout the Senderos Creek Neighborhood.

## EXPANDED PEDESTRIAN CONNECTIVITY

Featuring walkable amenities and an enhanced streetscape, the proposed neighborhood is designed to encourage active lifestyles. The walkable design of this neighborhood and the adjacent proposed neighborhood commercial office buildings as well as the pedestrian improvements of Filing 1B and 1C (which are currently under construction), significantly expand the pedestrian connections of the greater Senderos Creek Neighborhood. The sidewalk connections of the proposed residential development in combination with the adjacent proposed neighborhood commercial development, will establish pedestrian connectivity to the existing retail businesses of the Mainstreet Professional Dental Plaza as well as a direct connection to the pool facility which will serve the new homeowners.

## DRAINAGE IMPROVEMENTS

An existing detention pond located on the site will be modified to provide stormwater detention for the existing and proposed uses. Overland swales, curb & gutter, and storm sewer will convey stormwater runoff to the detention pond. The pond outfall will be to an existing storm sewer running along the northern site boundary. The stormwater pond and conveyance elements have been designed in accordance with the Town of Parker Criteria. Please see the provided drainage report for additional information on the drainage improvements.

## WATER AND SANITATION SERVICES

Senderos Creek North is part of the Parker Water and Sanitation District. Existing water mains and sanitary sewers adjacent to the property will provide connection for the proposed development. Existing utility information has been requested from the district and a detailed utility study will be prepared once sufficient information is provided. A network of watermains and sewer mains have been designed to provide service to each residence. Fire hydrants are provided per the requirements of the Town of Parker Life Safety division. The proposed utilities have been designed in accordance with Parker Water and Sanitation District standards.

Please see the provided construction documents for additional information on the utility improvements.

## REZONE TO RESIDENTIAL

The Town's current zoning for the site is Agricultural. In order to move forward with the proposed development a rezoning to Planned Development (PD) with a residential use is being requested. Please see the enclosed Olde Town PD Development Guide draft amendment and draft PD Development Plan that are required for the rezoning application as specified in Section 13.04.150 PD - Planned Development of the Land Development Ordinance.

## PUBLIC OUTREACH

Letters were sent per Town requirements to individual property owners within the vicinity of the property inviting them to an open house neighborhood meeting at the American Academy at Motsenbocker on Thursday, November 15, 2018 from 6:30p.m. to 8:00p.m. Between 15-20 members of the community attended the neighborhood meeting. The project team presented the development plan and several renderings of the proposed project and spoke with members of the neighborhood about the project's timeframe, site layout, and the community pool to the south.

A second neighborhood meeting was held at the Douglas County Library in Parker on Thursday, August 29, 2019 from 6:30p.m. to 8:00p.m. The project team expanded the scope notification to include more individual property owners in the neighborhood. There were 22 members of the community in attendance at the

second neighborhood meeting as well as 5 representatives from the project team and a staff person from the Town of Parker Planning Department. The project team gave a power point presentation which detailed a timeline of the neighborhood's development, an update on the neighborhood pool and other neighborhood improvements, and an update on the project. The project update included an overview of the project's timeframe, the requested rezoning, the updated site layout, an overview of design considerations that had been taken into account, the latest architectural elevations, and 3D renderings of the built-out site plan. The team fielded questions related to project specifics such as parking, density, and provided an explanation regarding the difference between owner-occupied condominiums and renter-occupied apartments. There were many questions related to the approval process which were handled by the Town of Parker staff person in attendance. As well, questions regarding the pool and HOA/Metro District membership were answered by representatives of the HOA and Metro District in attendance.

## TOWN OF PARKER MASTER PLAN POLICIES AND ZONING CRITERIA

The following documents provide guidance and direction for the Town on a holistic level and can be applied to the proposed development on a site-specific level:

- Parker 2035: Changes and Choices
- Land Development Ordinance – Title 13 of the Parker Municipal Code

## PARKER 2035: CHANGES AND CHOICES (MASTER PLAN)

As Parker plans for the future it is important to citizens that their Town retain its hometown feel. This means accommodating growth in a manner that is aligned with the Town's unique character and identity. This proposal seeks to do so by respecting the existing community fabric and adherence to values such as open space preservation. As part of the larger Olde Town subdivision, this proposal is envisioned to blend into the existing neighborhood and will strengthen previous filings but providing the missing piece of the neighborhood fabric. At the same time this proposal incorporates innovative elements such as walkable connections to the adjacent commercial area which speaks to the "full service community" vision for growth expressed in the Parker 2035 Master Plan.

## MASTER PLAN VISION AND GUIDING PRINCIPLES (CHAPTER 5)

- As we grow, we will strive to preserve the attributes of our unique, hometown character and community identity, the beauty of our natural environment, and the strengths of our neighborhoods, while lessening the adverse effects of growth.

- As the final piece of the Olde Town subdivision, the proposed development completes this neighborhood by fitting into the existing community fabric of the previously filed planning areas. A seamless integration is planned for streets, homes, trails, open space and the overall connection made to the adjacent neighborhood.
- We value open space as an integral part of our community's hometown feel and will take advantage of opportunities for its enhancement and expansion.
  - The Proposed Project incorporates open space and amenities around the proposed buildings enhancing the neighborhood feel and providing residents with a system of local active and passive environments for recreation.
- We value the native landscape and topographical features naturally occurring throughout our community.
  - The design and layout of Senderos Creek North takes into account the existing topographical character of the site per the request of Town staff. Also, we have incorporated grasses and shrubs that are routinely utilized throughout Parker which will ensure the neighborhood has a landscape aesthetic that blends in with the community.
- We will seek opportunities to promote community events and cultural venues and experiences.
  - Senderos Creek North is located just to the north of the Neighborhood Activity Center that features a public park and recreation center including a pool, which the applicant is moving forward with. The planned residential development will provide many new users to this park and pool which in turn can foster a sense of community amongst neighborhood residents.
- Our community's health will be enhanced by embracing an active lifestyle.
  - Site features including the public park, playground, dog park and community gardens will provide residents amenities that support an active lifestyle. These amenities will be connected through high quality streetscapes featuring wide, shaded sidewalks that make for an enjoyable pedestrian experience.
- Architectural and land use design is fundamental to our identity. As our community grows, special attention will be given to promoting high quality residential and commercial development that reflects aesthetic excellence.
  - The planned architecture and landscape character of the Proposed Project will complement the existing high-quality aesthetic found in Parker. The architecture responds to the adjacent open spaces and streetscape through building orientation and pedestrian scale design. Additionally, the architecture will be complementary to that of the adjacent office development, further integrating the two proposed

developments.

- We will preserve our single-family neighborhoods while providing choices that will allow people to live in Parker throughout their lives.
  - By offering a variety of owner-occupied housing types, the project will meet Town housing needs by providing attainable options. This will meet the housing needs of those who want to own a home but may not desire a traditional detached single-family home.
- The long-term economic well-being of the Town is fundamental to its future. Therefore, we will encourage a variety of employment opportunities, and promote unique, local businesses.
  - By increasing housing options in a portion of Town that has been mostly built out, the project will help strengthen the base of patrons for the local business community. The adjacent commercial area and proposed office development will serve as a neighborhood amenity, offering residents walkable access to businesses and services.
- We will promote transportation systems (roadways, bikeways, walkways and public transportation) that are safe and which emphasize local and regional connections while considering neighborhood impacts.
  - As the northern portion of the Senderos Creek neighborhood, the Proposed Project will provide improvements that promote and enhance the existing pedestrian system. Nearby walkable amenities such as the Neighborhood Activity Center will promote pedestrian travel within the neighborhood. Pedestrian connections to the adjacent commercial area and proposed office development will provide opportunities for community residents to walk to work or services as opposed to driving.

## LAND USE: GOALS AND STRATEGIES (CHAPTER 6)

Growth shall be appropriately directed and site-planned to sustain our community's needs as we grow.

- The proposed Senderos Creek North neighborhood must be considered in its context as an 'infill' opportunity that fits into the existing community. The planned neighborhood strengthens and diversifies the Town's housing stock while respecting the Town's hometown feel through its design and layout which emphasize quality landscaping, ample recreation areas, and appropriate buffers and transitions. With walkable connections to adjacent services, including the proposed office development, this proposed community is an ideal development to complete the full realization of Olde Town as a full service neighborhood of complementary land uses.

## TOWN APPLICATION CRITERIA

The application meets the applicable review criteria as defined in the Town's Land Development Ordinance, Section 13.04.240 (f).

1. **A need exists for the proposal;**

The site will be a mix of single family attached townhomes and condominiums offering a mix of housing types necessary for the Town to accommodate the wide-ranging housing needs of its population as expressed in the Parker 2035: Changes and Choices (Master Plan).

2. **The particular parcel of ground is indeed the correct site for the proposed development;**

The parcel's location between an existing single-family residential neighborhood and a commercial development makes it an ideal place to provide a mix of single-family and multi-family housing options. The development completes the planned residential Senderos Creek neighborhood, filling a vacant gap between existing uses. The Proposed Project is within walking distance to local amenities such as the park and recreation center of the adjacent Neighborhood Activity Center as well as the existing and proposed commercial development to the west.

3. There has been an error in the original zoning; or **not applicable.**

4. **There have been significant changes in the area to warrant a zoning change;**

Parker's growth rate as well as larger industry trends have shifted land use priorities in the Town from agricultural towards residential. This is particularly apparent in the Olde Town Subdivision which has developed as residential. As this is the final piece of the subdivision, this project's completion will establish the area's character as a residential neighborhood. This is reflected in the Parker 2035: Choices and Changes (Master Plan) General Land Use Plan which designates the site location as Medium Residential Density. Additionally, the Town's Master Plan mentions that housing affordability has become more of an issue and notes the importance of diversifying the existing housing stock through attainable housing options in response to this.

5. **Adequate circulation exists and traffic movement would not be impeded by development;**

Senderos Creek North will include a new street connection between the existing drive aisle in the adjacent commercial area to the west and Neu Towne Circle via an extension of East Springfield Court. East Springfield Court is currently stubbed to the Property for future extension. These street connections will provide improved connectivity both within in the neighborhood and to the surrounding community. Enhanced pedestrian connections to the existing and future commercial development adjacent to the site establishes the potential for residents to walk to work and services.

6. **Additional municipal service costs will not be incurred which the Town is not prepared to meet;**

The proposed project is meeting all applicable fees, policies, and requirements as specified by the Town of Parker and applicable utility districts.



7. **There are minimal environmental impacts or impacts can be mitigated;**  
There are no known environmental impacts associated with development of the property.
8. The proposal is consistent with the Town Master Plan maps, goals, and policies. The Proposed Project will bring zoning in line with the residential use identified for the area on the the General Land Use Plan in the Town Master Plan. This is consistent with the other planning areas established in the Olde Town PD. The proposed Senderos Creek North neighborhood will be compatible with the adjacent land uses and seeks to create a “full service community” of residents with walkable connections to parks, open space, and services, as envisioned in the Town Master Plan.
9. There is adequate waste and sewage disposal, water, schools, parks and recreation, and other services to the proportional degree necessary due to the impacts created by the proposed land uses.

PWSD will provide potable water and sanitary sewer service to the Proposed Project.

The neighborhood is located within the Douglas County School District and within the feeder area for Chaparral High School. It is anticipated that Prairie Crossing Elementary School and Sierra Middle School will also serve residents within the Proposed Project. It should also be noted that the K-8 American Academy Charter School is located directly east of the Proposed Project and will serve residents as well.

The plan includes two parks and incorporates recreation areas such as a playground, dog park and community gardens. Along with the parks and open space within the larger Senderos Creek neighborhood, the nearby Cherry Creek Trail will offer residents expanded access to greenways in the town as well as pedestrian access to downtown Denver.

The proposed Senderos Creek North neighborhood meets both future town land use needs and market demands. We believe this community will continue the development of first-rate neighborhoods and contribute to the high quality of life experienced by Parker residents.

Please let us know if you need additional information or have any questions. We look forward to working with the Town of Parker on this exciting project.

Sincerely,



**Bill Mahar, AICP**  
Senior Associate

**ORDINANCE NO. 3.162.3, Series of 2020**

**TITLE: A BILL FOR AN ORDINANCE TO AMEND THE OLDE TOWN AT PARKER PLANNED DEVELOPMENT GUIDE AND PLAN AND TO AMEND THE ZONING ORDINANCE AND MAP TO CONFORM THEREWITH**

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

**Section 1.** Finding of Fact.

a. Application has been made for amending the second amendment to the Olde Town at Parker Planned Development Guide and Plan that was approved by the Town Council on March 20, 2017, and recorded at Reception No. 2017023571 of the Office of the Douglas County Clerk and Recorder's Office, for the real property described in attached **Exhibit 1**, which is attached hereto and incorporated by this reference, pursuant to the Parker Land Development Ordinance (the "Olde Town PD").

b. Public notice has been given for the amendment to the Olde Town PD by publication on the Town's website at least fifteen (15) days prior to the public hearing of such zoning.

c. Written notice was sent by first class mail to all owners of property that abut the Property, at least fifteen (15) days prior to the public hearing.

d. Notice of such proposed hearing was posted on the property for fifteen (15) consecutive days prior to said hearing.

e. The requirements contained in Section 13.04.240 of the Parker Municipal Code for approving the amendment to the Olde Town PD have been satisfied.

**Section 2.** The Olde Town PD approved by the Town Council on March 20, 2017, for the real property described in Exhibit 1, is hereby amended by the Third Amendment to the Olde Town at Parker Planned Development Guide and Plan as set forth in **Exhibit 2**, which is attached hereto and incorporated by this reference.

**Section 3.** Approval of this Ordinance does not create a vested property right. Vested property rights may arise and accrue, pursuant to the provisions of Ordinance No. 3.65.1, as amended, of the Town of Parker.

**Section 4.** 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 5.** 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 6.** This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
James S. Maloney, Town Attorney

OLDE TOWN AT PARKER PLANNED DEVELOPMENT AMENDMENT

EXHIBIT 1

LAND DESCRIPTION

A PARCEL OF LAND IN THE WEST HALF OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21, THENCE N00°20'54"W ALONG THE WESTERLY LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING;

THENCE N00°20'54"W ALONG SAID WESTERLY LINE, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED IN BOOK 753 PAGE 617, A DISTANCE OF 302.18 FEET;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED RECEPTION NUMBERS 2002116352 AND 2003092239 THE FOLLOWING SEVEN (7) CONSECUTIVE COURSES;

1. N03°27'57"E A DISTANCE OF 117.25 FEET;
2. THENCE N89°39'06"E A DISTANCE OF 19.21 FEET;
3. THENCE N00°20'54"W A DISTANCE OF 1016.14 FEET TO A POINT OF CURVATURE;
4. THENCE 137.41 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 09°00'29", A RADIUS OF 874.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 137.27' FEET TO A POINT OF TANGENCY;
5. THENCE N08°39'35"E A DISTANCE OF 289.60 FEET TO A POINT OF CURVATURE;
6. THENCE 164.14 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 09°00'29", A RADIUS OF 1044.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 163.97 FEET TO POINT OF TANGENCY;
7. THENCE N00°20'54"W A DISTANCE OF 296.99 FEET TO A POINT OF CURVATURE;

THENCE 78.60 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 90°03'52", A RADIUS OF 50.00 FEET AND A CHORD WHICH BEARS N44°41'02"E A DISTANCE OF 70.75 FEET TO A POINT OF TANGENCY ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST MAIN STREET AS RECORDED AT RECEPTION NUMBERS 2002116352 AND 2003092239;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) CONSECUTIVE COURSES;

1. N89°42'58"E A DISTANCE OF 363.74 FEET TO A POINT OF CURVATURE;
2. THENCE 278.26 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 10°30'50", A RADIUS OF 1516.39 FEET AND A CHORD WHICH BEARS N84°27'33"E A DISTANCE OF 277.87 FEET;
3. THENCE N10°47'52"W A DISTANCE OF 15.00 FEET;
4. THENCE 181.43 FEET ALONG THE ARC OF NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE 06°55'25", A RADIUS OF 1501.39 FEET AND A CHORD WHICH BEARS N75°44'25"E A DISTANCE OF 181.32 TO A POINT ON THE NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID NORTHERLY LINE, N89°42'58"E A DISTANCE OF 100.15 FEET;

THENCE N00°23'18"W A DISTANCE OF 2.02 FEET TO A POINT ON THE SOUTHERLY LINE OF CLARKE FARMS SUBDIVISION, FILING NO. 2A AS RECORDED AT RECEPTION NO. 9306811;

THENCE ALONG SAID SOUTHERLY LINE, THE FOLLOWING SIX (6) CONSECUTIVE COURSES;

1. N89°36'42"E A DISTANCE 258.06 FEET;
2. THENCE N89°35'34"E A DISTANCE OF 117.35 FEET;
3. THENCE S00°19'07"E A DISTANCE OF 27.35 FEET;
4. THENCE N89°30'01"E A DISTANCE OF 50.01 FEET;

5. THENCE N00°19'07"W A DISTANCE OF 27.27 FEET
6. THENCE N89°35'34"E A DISTANCE OF 233.63 FEET TO A POINT ON THE WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3 AS RECORDED AT RECEPTION NUMBER 2013010637.

THENCE ALONG SAID WESTERLY LINE S00°24'26"E A DISTANCE OF 3.35 FEET TO A POINT ON SAID NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3, S00°02'02"E A DISTANCE OF 682.11 FEET TO A POINT ON THE NORTHERLY LINE OF OLDE TOWN AT PARKER FILING NO. 1B-2 AS RECORDED AT RECEPTION NUMBER \_\_\_\_\_;

THENCE ALONG SAID NORTHERLY LINE N89°34'55"E A DISTANCE 644.54 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH MOTSENBOCKER ROAD AS RECORDED AT RECEPTION NUMBERS 2002116352 AND 2017075212;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING FOURTEEN (14) CONSECUTIVE COURSES;

1. S00°02'02"E A DISTANCE OF 77.50 FEET TO A POINT OF CURVATURE;
2. THENCE 172.69 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 590.00 FEET, A CENTRAL ANGLE OF 16°46'12" AND A CHORD WHICH BEARS S08°25'08"E A DISTANCE OF 172.07 FEET TO A POINT OF TANGENCY;
3. THENCE S16°48'14"E A DISTANCE OF 30.84 FEET;
4. THENCE N72°41'42"E A DISTANCE OF 3.59 FEET;
5. THENCE S15°53'49"E A DISTANCE OF 301.80 FEET;
6. THENCE S10°18'46"E A DISTANCE OF 71.94 FEET;
7. THENCE S15°53'49"E A DISTANCE OF 79.96 FEET;
8. THENCE S16°36'56"E A DISTANCE OF 387.85 FEET TO A POINT OF CURVATURE;
9. THENCE 55.13 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 535.00 FEET, A CENTRAL ANGLE OF 05°54'15" AND A CHORD WHICH BEARS S13°39'48"E A DISTANCE OF 55.11 FEET;
10. THENCE 20.12 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 510.00 FEET, A CENTRAL ANGLE OF 02°15'37" AND A CHORD WHICH BEARS S01°48'01"E A DISTANCE OF 20.12 FEET TO A POINT OF TANGENCY;
11. THENCE S00°40'13"E A DISTANCE OF 598.66 FEET;
12. THENCE S00°33'44"E A DISTANCE OF 182.24 FEET;
13. THENCE 3.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5.00 FEET, A CENTRAL ANGLE OF 37°56'39" AND A CHORD WHICH BEARS S18°24'35"W A DISTANCE OF 3.25 FEET TO A POINT OF TANGENCY;
14. THENCE S37°22'55"W A DISTANCE OF 31.26 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID SOUTHERLY LINE, S89°26'16"W A DISTANCE OF 345.53 FEET TO A POINT ON THE EASTERLY LINE OF A PARCEL OF LAND RECORDED AT BOOK 131, PAGE 102;

THENCE ALONG THE EASTERLY AND NORTHERLY LINE OF SAID PARCEL THE FOLLOWING TWO (2) CONSECUTIVE COURSES;

1. N00°40'14"W A DISTANCE OF 210.00 FEET;
2. THENCE S89°26'16"W A DISTANCE OF 2269.52 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID JORDAN ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING.

PARCEL CONTAINS 127.453 ACRES OR 5,551,834 SQUARE FEET MORE OR LESS.

ALL LINEAL DISTANCES ARE IN U.S. SURVEY FEET.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN ASSUMED TO BEAR S00°20'54"E AND BEING MONUMENTED BY A FOUND 2" ALUMINUM CAP IN RANGE BOX PLS #13487 AT THE WEST QUARTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #25645 AT THE SOUTHWEST CORNER.

PREPARED BY AUGUSTUS TERRY  
FOR AND ON BEHALF OF  
MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, COLORADO 80215  
303-431-6100  
NOVEMBER 20, 2018



## **EXHIBIT 2**

### **OLDE TOWN AT PARKER A TRADITIONAL NEIGHBORHOOD DEVELOPMENT**

Original: August 27, 2003

2<sup>nd</sup> Revision: April 3, 2017

3<sup>rd</sup> Revision: May 29, 2020

Prepared by: Norris Design

### **Third Amendment to Planned Development Guide**

# PD Guide Index

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OLDE TOWN AT PARKER  
A TRADITIONAL NEIGHBORHOOD DEVELOPMENT

Planned Development Guide

INTRODUCTION

**A. Statement of Purpose**

Update: September 23, 2019

Olde Town at Parker is a traditional neighborhood development encompassing approximately 127.45 acres. It is located east of Jordan Road, west of Motsenbocker Road, north of Todd Drive and south of Mainstreet.

The development was originally approved in 2003 and approximately half of the development was built out by 2015. In 2017 the remainder of the development was purchased by Pacific North LLC, was consequently sold to Meritage Homes and is currently under construction. A second amendment to the Planned Development Guide was approved at that time that reflected the resulting changes to the layout and housing types within the development. This, the third Planned Development Guide Amendment will reflect the inclusion of two new planning areas PA-9 and PA-10. The Olde Town at Parker Development Plan incorporates a mix of land uses bisected by a local trail system that will connect to a regional trail facility along the north side of Todd Drive. The development is based upon the traditional walking village concept of pedestrian-friendly tree-lined local streets, utilizing detached sidewalks on both sides of public streets, and complementary and compatible land uses. The entire project is connected together with pocket parks, a neighborhood center, greenways and the public sidewalk system. Most areas within the neighborhood are located within a quarter-mile of one another, to encourage residents to walk within the community and reduce dependence on the automobile for daily trips.

The development has been designed to include a variety of housing types, retail and service commercial, and community facilities to achieve a balance and reasonably self-sufficient community for families of all ages, sizes, and levels of income, but the focus of most housing will be to serve families and the active adult market. The housing opportunities include traditional single family detached homes, single family cluster homes, single family attached homes, condominiums, and duplexes. To accommodate a variety of housing types, each planning area varies in topography, size, population and street layout. The Commercial Center will be located at the southeast corner of Jordan Road and Main Street, and will be accessible by automobile, primarily from Jordan Road for pass-by-traffic and by detached walkway system of pedestrian trails and bikeways.

The open space system for the Olde Town at Parker development includes a significant central park with open space, landscaping, an outdoor pool and pool house. The park will be connected to the neighborhood by a series of neighborhood trails. All residences within the development are located within a quarter-mile (5 minute walk) of the central neighborhood park. The entire development is linked together through a public open space park-system of sidewalks and trails.

The purpose of this Development Plan and Development Guide is to establish standards for the comprehensive development and improvement of the property. The standards contained in this Development Guide are intended to carry out the goals of this planned community. They are also intended to ensure a unified high-quality community for its residents.

## **B. Definitions**

Unless otherwise stated herein, all provisions of and definitions found in the definitions section of the Parker Land Development Code, as amended, shall apply. The following definitions are provided for clarification of the uses proposed by this Development Guide.

- 1. Cluster Homes:**  
Detached or attached homes owned in the fee title conveyed by lot or building envelope in conjunction with common open space owned and maintained by a homeowners association.
- 2. Condominiums:**  
Condominium units are conveyed by unit numbers within a condominium homeowner association in conjunction with common ownership of all common facilities.
- 3. Duplex Homes:**  
Detached building on a single parcel containing two (2) dwelling units, designed for or used as dwellings exclusively by two (2) families, each living as an independent housekeeping unit.
- 4. Multi-Family:**  
A building that contains condominium units.
- 5. Single Family Attached Homes:**  
Attached homes (Townhomes) owned in the fee title conveyed by lot or building envelopes in conjunction with common open space owned and maintained by a homeowner's association.
- 6. Single Family Detached Homes:**  
Single family detached homes on fee title/simple lots.

## **C. Legislative Intent**

It is the intent of this Development Guide is to be consistent with, and to assist in implementation of the Town of Parker Land Development Code, as amended, to:

1. Encourage innovations in development so that the residents may enjoy a greater variety in type, design and layout for buildings and by the conservation and more efficient use of open space ancillary to said buildings;
2. Encourage a more efficient use of land and public services, and/or private services to provide benefit to those who desire having in a pedestrian-oriented neighborhood;
3. Minimize the burden of traffic on streets and highways;
4. Conserve and enhance the value of the land;
5. Provide a procedure, which can relate the type and layout of the building development to the particular site, thereby encouraging preservation of the site's natural characteristics; and encourage integrated planning in order to achieve the above purposes.

## **D. Application**

These Standards shall apply to all property contained within the Olde Town of Parker PD as shown on the Development Plan and this Development Guide. These zoning regulations and requirements shall become the governing standards for review, approval and modification of all uses occurring on the site.



Provisions of this guide shall prevail and govern the uses of the site, however, this Guide only supersedes the specific zoning category, not the Town of Parker's Land Development Code as amended. The zoning codes and regulations for the Town of Parker shall apply where the provisions of this guide do not address a specific subject; or where there is a conflict in which case the Town of Parker Land Development Code prevails.

**E. Authority**

The authority of this Development Guide is Chapter 13.04.150 (PD-Planned Development) of the Town of Parker Land Development Code as amended.

**F. Adoption**

Reference: Chapter 13.04.150 (PD-Planned Development) of the Town of Parker Land Development Code as amended.

**G. Relationship of Town Regulations**

The provisions of this Development Guide shall prevail and govern development of the Olde Town at Parker PD to the extent provided by the Town of Parker Land Development code, as amended, except where the provisions of the Development Guide do not clearly address a specific subject, or where there is a conflict. In such a case the provisions of the Town of Parker Land Development Code, or any other codes or regulations of the Town of Parker shall prevail, when applicable.

**H. Enforcement**

The provisions of the Development Guide relating to the use of land shall run in favor of the Town of Parker and shall be enforceable, at law or in equity, by the Town of Parker. All provisions of this Development Guide shall run in favor of the residents, occupants or owners of the land on which the Olde Town of Parker PD is located to the extent expressly provided in this Development Guide and in accordance with its terms and conditions, the codes of the Town of Parker, and, where applicable, State Law.

**I. Additions**

The addition of appropriately zoned land to Olde Town at Parker PD shall be considered a zoning amendment and shall be subject to the procedures and requirements contained in the Town of Parker Land Development Code, as amended.

**CONTROL PROVISIONS**

**A. Control Over Use**

After adoption of this Development Guide by the Town Council:

1. Any new building or other structure, and any parcel of land may be used;
2. The use of any existing building, other structure, or parcel of land may be changed or extended as provided for in this Development Guide; and
3. Any existing building or other structure may be enlarged, reconstructed, structurally altered, converted or relocated, for any purpose permitted or required by the provisions of this Development Guide applicable to the area in which such building, other structure or parcel of land is located. Such use, change, extension, enlargement, reconstruction, structural alteration, conversion or relocation shall be subject to all standards

and requirements set forth or referred to in the standards and requirements for that area, and to any other applicable standards and requirements of this Development Guide and Development Plan.

**B. Control Over Location and Bulk**

After the adoption of this Development Guide by the Town Council, the location and bulk of all buildings and other structures built after the effective date of the Development Guide, shall be in conformance with:

1. All applicable standards contained within the Development Plan and Guide; and
2. Any other applicable standards of the Land Development Code, as amended where such standards are not specifically addressed in or are in conflict with the Development Plan Guide.

**C. Incorporation of Development Plan**

The plan for development of the Olde Town at Parker PD including the type, location and boundaries of land use areas is shown upon the Olde Town at Parker PD Development Plan, which is attached as Exhibit A and is hereby incorporated by reference into this Development Guide.

## GENERAL PROVISIONS

**A. Purpose**

The purpose of this section is to establish general provisions and clarify standards and requirements for development which may occur in the Olde Town at Parker PD.

**B. Planning Area Boundaries**

The boundaries and acreage of all Planning Areas within the Olde Town at Parker PD are shown on the Olde Town at Parker Development Plan. Where a Planning Area abuts an internal street drive, the boundary shall be the right-of-way of that street as indicated on the PD Development Plan. Where a Planning Area abuts another Planning Area, the boundary shall be shown as on the Olde Town at Parker PD Development Plan. Changes in the boundaries and acreage of Planning Areas shall be permitted as follows:

1. The size of any Planning Area may increase or decrease (by a minimum of 15%) after final determination, through the platting process, of the alignment of any of the streets and drives, open space areas, shown on the Olde Town at Parker PD Development Plan, subject to the Parker Land Development Code, as amended.
2. No amendment to this Development Guide shall be required for an increase and/or decrease in Planning Area boundaries internal to the site which results in changes to those areas amounting to less than 15% of the area of each such area. However, the developer shall keep and submit accurate records of such boundary revisions and shall inform the Town of the same, as required by the planning director if the modification is determined to be minor.
3. Any request for a Planning Area to increase or decrease by more than 15% of its size shown on the Development Plan shall be processed as a zoning amendment in accordance with of the Town of Parker Land Development Code.
4. The final boundary of any Planning Area shall be established when the final plat is prepared for that area.

### **C. Utility Connections**

Approval for connection to the Parker Water and Sanitation District (the "District") facilities or other appropriate utility system shall be required for each principal building to be constructed under the terms of this Development Guide within the Olde Town at Parker PD and notice of such approval shall be provided to the Town building inspector.

### **D. Agricultural Uses**

Agricultural activities and uses, except livestock and poultry, and all accessory structures and uses which are customarily incidental or appropriate to farming and ranching shall be permitted within Olde Town at Parker PD prior to but not during the phased development of the total project, subject to the Parker Land Development Code.

### **E. Utility Requirements**

Telephone lines, electric lines, electrical distribution lines, cable TV lines and other like utility services shall be placed underground. Transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts shall not be placed above ground and shall be screened as appropriate (at the time of site plan development). Equipment permitted above ground shall not be placed within the required sight triangles needed for safe traffic visibility.

### **F. Dedication Requirements**

All dedications of Public Facilities, including but not limited to Park and Open Space lands, roadways, utility easements, drainage facilities and easements shall be made at the time of Final Plat for the specific Planning Area, except as otherwise provided in the annexation agreement for the site.

### **G. Application of Town of Parker Design Guidelines for Single Family, Multiple Family and Commercial Development**

The Design Standards included in the Town of Parker Development Design Standards, as amended, are in addition to these standards and requirements identified in the land Development Code and these PD Development Standards. These standards shall be used when preparing site plans and architectural plans for new development. In the event there is a conflict between the design standard described herein and the Town of Parker Development Design Standards, the Town's Guidelines shall control. These 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's Master Plan. The Standards address the following: (1) site design standards such as adjacent sensitivity, site development, building location and orientation access, and screening; and (2) architectural standards, such as mass and scale, architectural elements, colors and roofing. The goal is to provide high quality building materials and landscaping which is in concert with the surrounding development.

## **DEVELOPMENT STANDARDS**

### **SECTION 1 – SINGLE FAMILY DETACHED RESIDENTIAL – PLANNING AREAS (PA) 4 AND 7**

#### **SEC. 1-10      Description**

Single Family Detached Residential Area herein called "SFD" will have a total of approximately 56.27 acres and a maximum density of 4.35 dwelling units per acre, for a total of 245 dwelling units (119 dwelling units exist within PA-7).

**SEC. 1-20 Intent**

1. Provide flexibility to adjust to changes in housing trends and patterns. Encourage diversity within the development of Olde Town at Parker through a variety of housing densities and associated lifestyles.
2. Improve the environment by requiring adequate landscaping.

**SEC. 1-30 Uses Permitted**

1. Single family detached dwellings with front, side or alley load garages;
2. Accessory structures and uses necessary and customarily incidental to a permitted use including detached garages;
3. Private open space and recreation facilities;
4. Public and quasi-public facilities;
5. Temporary sales trailers, model homes, and show home complexes and accessory uses; and
6. Temporary construction yards and construction office, to be removed upon completion of the development;
7. Places of religious assembly

**SEC. 1-40 Uses Permitted by Special Review**

1. Water wells and appurtenances

**SEC. 1-50 Development Standards**

|                                                                                |                                                                 |
|--------------------------------------------------------------------------------|-----------------------------------------------------------------|
| <b>Total Acreage</b>                                                           | 56.27 Acres                                                     |
| <b>Maximum Allowable Density</b>                                               | 4.35 DU/AC                                                      |
| <b>Minimum Lot Area (sq. ft.)</b>                                              | 4,500sq. ft.                                                    |
| <b>Maximum Building Height</b>                                                 | 35 feet                                                         |
| <b>Minimum Lot Width</b>                                                       |                                                                 |
| • <b>At the street:</b>                                                        | 40 feet                                                         |
| • <b>At the front building wall:</b>                                           | 45 feet                                                         |
| • <b>At cul-de-sac, or similarly curved roads and flag lots at the street:</b> | 20 feet                                                         |
| <b>Primary Building Front Setback (from local street right-of-way):</b>        | 18 feet to face of garage                                       |
|                                                                                | 10 feet to face of home                                         |
|                                                                                | 10 feet to a covered porch without having space above the porch |
| <b>Primary and Accessory Structure Side Setback:</b>                           | 5 feet                                                          |
| <b>Primary Structure Rear Setback:</b>                                         | 15 feet                                                         |
| <b>Detached Garage Structure Rear Setback</b>                                  | 5 feet                                                          |
| <b>Corner Lot Side Setback (from local street right-of-way)</b>                | 10 feet to side of structure                                    |
|                                                                                | 18 feet to garage if side entry                                 |
| <b>Minimum Building Separation (does not include overhangs)</b>                | 10 feet                                                         |

1. Encroachments: Cantilevers and roof overhangs may encroach the setback a maximum of 18 inches.
2. Decks and patios 30 inches or less above grade may be located in the rear setback. Decks, above 30 inches above grade may encroach the rear setback provided they are no closer than five feet to the rear property line when there is a detached garage in the rear of the lot and 10 feet when the garage is attached to the home and front or side loaded.

#### **SEC. 1-60          Design Guidelines**

1. Staggered setbacks are required. The front building setback of one (1) lot shall be varied by a minimum of two (2) feet from the front building setback of any home within two (2) lots on either side of the subject lot in accordance with the Town of Parker Residential Design Criteria - Sec.13.10.161 (g) of the Town of Parker Land Development Code, as amended.
2. Front porches are encouraged and may be set back a minimum of 10 feet from the right-of-way when there is no having space above the porch.
3. All units shall have a clearly defined front yard. The builder / developer / owner shall submit plans for landscaping, hedging, fencing, or a brick or stone wall, which must be approved by architectural control committee prior to installation.
4. All single family detached homes must be located with the first floor above the adjacent sidewalk.
5. Front yard landscaping shall be required for all single family detached lots and shall conform to Town of Parker minimum landscape requirements as stated in Section13.10.161 (f) of the Town of Parker Land Development Code, as amended.
6. Two (2) car garages (minimum) shall be required.

### **SECTION 2 – SINGLE FAMILY CLUSTER RESIDENTIAL – PLANNING AREA (PA) 3**

#### **SEC. 2-10          Description**

The Single Family Residential Cluster Areas herein called "Cluster Homes" will have a total of approximately 7.38 acres and a maximum density of 10.03 dwelling units per acre for a total of 74 units.

#### **SEC. 2-20          Intent**

The Single Family Cluster homes proposed in the Olde Town at Parker may include a number of housing types, depending on market conditions and new unit types available. It is intended, however, that these predominately single family cluster developments not just be conventional single family residences, but unique neighborhoods with functional amenities and innovative unit types. The objective of the cluster development is to group various types of units creating communal open space, increasing privacy, improving Residential environments, and creating additional view corridors to amenities. Forms of clustering units may include, but not be limited to: an active adult community, zero lot line homes which create a more useable yard space, "keyhole" lots, wide and shallow, attached, detached "Lifestyle" full exterior maintenance homes, "Z" lots, flag lots, wedge lots, clustering of units on a common court, alley access homes, patio homes with the outdoor having space focused around a patio area and a variety of attached unit types such as duplexes, triplexes and town homes.

**SEC. 2-30 Purpose**

1. To provide flexibility in adjusting to changes in housing trends and patterns, while maintaining compatibility with surrounding lower density development.
2. To ensure that high standards of siting and the optimum use of available land are applied throughout the project phases.
3. To provide a variety of housing styles around featured amenities, in a substantially maintenance free environment.
4. To maintain or enhance the inherent natural features of the site, especially the drainage corridors and, to the extent possible, provide recreation, leisure and community areas for the residents of Olde Town at Parker cluster homes.
5. To provide cluster development, which in contrast to conventional development, will allow for a greater percentage of the land to be allotted to common areas and elements, and will reduce the amount of street by grouping the residential units together.

**SEC. 2-40 Uses Permitted**

1. Single family dwellings, attached and / or detached and condominiums
2. Private recreational facility;
3. Accessory structures and uses necessary and customarily incidental to a permitted use;
4. Public recreation facilities;
5. Public and quasi-public facilities;
6. Temporary sales trailers, model homes, and show home complexes and accessory uses; and
7. Temporary construction yards and construction office, to be removed upon completion of the development.
8. Places of religious assembly.

**SEC. 2-50 Uses Permitted by Special Review**

1. Water wells and appurtenances

**SEC. 2-60 Development Standards**

|                                                   |                                                                |
|---------------------------------------------------|----------------------------------------------------------------|
| <b>Total Acreage</b>                              | 7.38 Acres                                                     |
| <b>Maximum Allowable Density</b>                  | 10.03 DU/AC                                                    |
| <b>Maximum Building Height</b>                    | 35 feet                                                        |
| <b>Building Setbacks</b>                          |                                                                |
| • From local street right-of-way:                 | 10 feet to the structure                                       |
|                                                   | 18 feet to the face of the garage                              |
| • From private drive/court:                       | 3 feet (no parking in driveway if less than 18 feet in length) |
| • From arterial or collector street right-of-way: | 25 feet                                                        |
| • From north property boundary:                   | 12 feet                                                        |
| • From private lot lines:                         | 3 feet (7 feet between structures)                             |
| <b>Minimum Building Separation:</b>               | 7 feet                                                         |



|                                  |         |
|----------------------------------|---------|
| • <b>Rear to side:</b>           | 7 feet  |
| • <b>Rear to rear:</b>           | 10 feet |
| • <b>Side to side:</b>           | 7 feet  |
| • <b>Corner to side or rear:</b> | 7 feet  |
| • <b>Front to front:</b>         | 20 feet |
| • <b>Front to side:</b>          | 7 feet  |

1. All improvements must be setback a minimum of 10 feet from the Planning Area boundary.
2. Encroachments: Cantilevers and roof overhangs may project into the required setback or building separation no more than 18 inches where permitted by building code.

#### **SEC. 2-70      Design Guidelines**

1. Individual lots and Buildings shall be arranged and situated to relate to surrounding properties.
2. Diversity and originality in a lot layout and individual building design shall be encouraged to achieve a more compatible relationship between development and the land.
3. Single Family Cluster, herein called Cluster Homes shall be a place to live, in which open space is concentrated, rather than dispersed, and maintained for the benefit of all that live there. Roads may be private, but will be built to the Town of Parker standards, and facilities and structures may be maintained by an association for the benefit of one and all. Due to anticipated variety and type of residential product, minimum street frontage, building area and lot size will be determined at time of Final Plat/Site Plan.
4. Off-street parking may be allowed within setbacks but shall not compromise landscaping and other buffering measures or sidewalks
5. The design of any structure / development shall be a "360-degree" design, i.e., any elevation of a building shall be architecturally "finished" to a similar degree.
6. Attached units which share a common wall, shall meet all applicable fire protection requirements.
7. Attached units which share a common wall must meet the development standards of the Single Family Attached District.
8. Minimum lot size will be determined based upon platting. A condominium plat will be required for the property, or the property will be limited to 1 dwelling unit per lot.

### **SECTION 3 – SINGLE FAMILY ATTACHED RESIDENTIAL – PLANNING AREAS (PA) 2 AND 10**

#### **SEC. 3-10      Description**

The Single Family Residential Attached Area herein called "SFA" will have a total of approximately 10.65 acres (4.76 acres in PA-2, 5.89 acres in PA-10) and a maximum density of 11.08 dwelling units per acre for a total of 118 allowed dwelling units.

#### **SEC. 3-20      Intent**

The Single Family Attached area shall be a place to live in which open space is concentrated, rather than dispersed, and maintained for the benefit of all whom live there. Roads may be private, but built to Town of Parker design standards. These facilities and structures may be maintained by an association for the benefit of one and all. This

use area will consist of attached townhouse type units, patio/ cluster units (closely grouped detached and/or attached homes), duplexes, and/or stacked flats (condominium units). The purpose of the Attached Homes is as follows:

1. To provide flexibility in adjusting to changes in housing trends and patterns, while maintaining compatibility with surrounding lower density development.
2. To ensure that high standards of siting and the optimum use of available land are applied.
3. To provide a variety of living styles around featured amenities, in a substantially maintenance-free environment.
4. Cluster development, which in contrast to conventional development, will allow for a greater percentage of the land to be allotted to common areas and elements, and will reduce the amount of streets by grouping the residential units together.

#### **SEC. 3-30        Uses Permitted**

1. Single family dwellings, attached, town homes, duplexes, and/or detached cluster homes;
2. Private recreational facility;
3. Accessory structures and uses necessary and customarily incidental to a permitted use;
4. Public recreation facilities;
5. Public and quasi-public facilities;
6. Temporary sales trailers, model homes, and show home complexes and accessory uses; and
7. Temporary construction yards and construction office, to be removed upon completion of the development.
8. Places of religious assembly.

#### **SEC. 3-40        Uses Permitted by Special Review**

1. Water wells and appurtenances

#### **SEC. 3-50        Development Standards**

|                                                                                                     |                                                                |
|-----------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| <b>Total Acreage</b>                                                                                | 10.65 Acres                                                    |
| <b>Maximum Allowable Density</b>                                                                    | 11.08 DU/AC                                                    |
| <b>Maximum Building Height</b>                                                                      | 40 feet                                                        |
| <b>Building Setbacks</b>                                                                            |                                                                |
| <ul style="list-style-type: none"> <li>• From local street right-of-way:</li> </ul>                 | 10 feet to the structure                                       |
|                                                                                                     | 18 feet to the face of the garage                              |
| <ul style="list-style-type: none"> <li>• From private drive/court/alley:</li> </ul>                 | 2 feet (no parking in driveway if less than 18 feet in length) |
| <ul style="list-style-type: none"> <li>• From arterial or collector street right-of-way:</li> </ul> | 20 feet                                                        |
| <ul style="list-style-type: none"> <li>• Adjacent to Single Family Detached Residential:</li> </ul> | 15 feet                                                        |
| <b>Minimum Building Separation:</b>                                                                 |                                                                |
| <ul style="list-style-type: none"> <li>• Rear to side:</li> </ul>                                   | 12 feet                                                        |
| <ul style="list-style-type: none"> <li>• Rear to rear:</li> </ul>                                   | 20 feet                                                        |

|                           |         |
|---------------------------|---------|
| • Side to side:           | 10 feet |
| • Corner to side or rear: | 10 feet |
| • Front to front:         | 20 feet |
| • Front to side:          | 12 feet |

1. All improvements must be setback a minimum of 10 feet from the Planning Area boundary.
2. Encroachments: Cantilevers and roof overhangs may project into the required setback or building separation no more than 18 inches where permitted by building code.

#### **SEC. 3-60 Design Guidelines**

1. Due to anticipated variety and type of residential product street frontage, building area and lot size will be determined at time of Final Plat/Site Plan.
2. Off-street parking may be allowed within setbacks but shall not compromise landscaping and other buffering measures.
3. The design of any structure / development shall be a "360-degree" design, i.e., any elevation of a building shall be architecturally "finished" to a similar degree.
4. Attached units which share a common wall shall meet all applicable fire protection requirements.
5. Minimum lot size will be determined based upon platting. A condominium plat will be required for property within this Planning Area, or the property will be limited to 1 Dwelling Unit per lot.

### **SECTION 4 – DUPLEX RESIDENTIAL – PLANNING AREAS (PA) 5 AND 6**

#### **SEC. 4-10 Description**

The Duplex Residential area will have a total of approximately 13.88 acres (3.84 acres in PA-5, 10.04 acres in PA-6) and a maximum density of 10 units per acre for a maximum total of 104 dwelling units in Planning Areas PA 5 and 6.

#### **SEC. 4-20 Intent**

The Duplex Residential area shall be a place to live in which open space is concentrated, rather than dispersed, and maintained for the benefit of all whom live there. Roads may be private, but built to Town of Parker design standards. These facilities and structures may be maintained by an association for the benefit of one and all. This use area will consist of attached townhouse type units, patio/ cluster units (closely grouped detached and/or attached homes), duplexes, and/or stacked flats (condominium units). The purpose of the Attached Homes is as follows:

1. To provide flexibility in adjusting to changes in housing trends and patterns, while maintaining compatibility with surrounding lower density development.
2. To ensure that high standards of siting and the optimum use of available land are applied.
3. To provide a variety of living styles around featured amenities, in a substantially maintenance-free environment.
4. Cluster development, which in contrast to conventional development, will allow for a greater percentage of the land to be allotted to common areas and elements, and will reduce the amount of streets by grouping the residential units together.

**SEC. 4-30 Uses Permitted**

1. Single family dwellings, attached, town homes, stacked flats (condominiums), duplexes, and/or detached cluster homes;
2. Private recreational facility;
3. Accessory structures and uses necessary and customarily incidental to a permitted use;
4. Public recreation facilities;
5. Public and quasi-public facilities;
6. Temporary sales trailers, model homes, and show home complexes and accessory uses; and
7. Temporary construction yards and construction office, to be removed upon completion of the development.
8. Places of religious assembly.

**SEC. 4-40 Uses Permitted by Special Review**

1. Water wells and appurtenances

**SEC. 4-50 Development Standards**

|                                                          |                                                   |
|----------------------------------------------------------|---------------------------------------------------|
| <b>Total Acreage</b>                                     | 13.88 Acres                                       |
| <b>Maximum Allowable Density</b>                         | 10 DU/AC                                          |
| <b>Maximum Building Height</b>                           | 35 feet                                           |
| <b>Building Setbacks</b>                                 |                                                   |
| • <b>From local street right-of-way:</b>                 | 10 feet to the structure                          |
|                                                          | 18 feet to the face of the garage                 |
| • <b>From private drive/court/alley:</b>                 | Driveway must be $\leq 5$ feet or $\geq 18$ feet. |
| • <b>From arterial or collector street right-of-way:</b> | 20 feet                                           |
| • <b>Adjacent to Single Family Detached Residential:</b> | 15 feet                                           |
| <b>Minimum Building Separation:</b>                      |                                                   |
| • <b>Rear to side:</b>                                   | 12 feet                                           |
| • <b>Rear to rear:</b>                                   | 20 feet                                           |
| • <b>Side to side:</b>                                   | 10 feet                                           |
| • <b>Corner to side or rear:</b>                         | 10 feet                                           |
| • <b>Front to front:</b>                                 | 20 feet                                           |
| • <b>Front to side:</b>                                  | 12 feet                                           |

1. There will be a minimum residential setback from commercial areas of 15 feet to include vegetative screening of coniferous trees and a private fence on either the commercial or residential lot.

**SEC. 4-60          Design Guidelines**

1. Due to anticipated variety and type of residential product street frontage, building area and lot size will be determined at time of Final Plat/Site Plan. Setbacks will not inhibit ability to achieve desired density.
2. Off-street parking may be allowed within setbacks but shall not compromise landscaping and other buffering measures.
3. The design of any structure / development shall be a "360-degree" design, i.e., any elevation of a building shall be architecturally "finished" to a similar degree.
4. Attached units which share a common wall shall meet all applicable fire protection requirements.
5. Minimum lot size will be determined based upon platting. A condominium plat will be required for property within this Planning Area, or the property will be limited to 1 Dwelling Unit per lot.

**SECTION 5 – MULTI-FAMILY RESIDENTIAL – PLANNING AREA (PA) 9****SEC. 5-10          Description**

The Multi-Family Residential area will have a total of approximately 6.27 acres and a maximum density of 17.22 units per acre for a maximum total of 108 dwelling units in this Planning Area.

**SEC. 5-20          Intent**

The Multi-Family Residential area shall be a place to live in which open space is concentrated, rather than dispersed, and maintained for the benefit of all whom live there. Roads may be private, but built to Town of Parker design standards. These facilities and structures will be maintained by an association for the benefit of one and all. This use area will consist of attached townhouse type units, patio/ cluster units (closely grouped detached and/or attached homes), duplexes, and/or stacked flats. The purpose of the multi-family district is as follows:

1. To provide flexibility in adjusting to changes in housing trends and patterns, while maintaining compatibility with surrounding lower density development.
2. To ensure that high standards of siting and the optimum use of available land are applied.
3. To provide a variety of living styles around featured amenities, in a substantially maintenance-free environment.
4. Cluster development, which in contrast to conventional development, will allow for a greater percentage of the land to be allotted to common areas and elements, and will reduce the amount of streets by grouping the residential units together.

**SEC. 5-30          Uses Permitted**

1. Single family dwellings, attached;
2. Townhomes;
3. Stacked flats;
4. Duplexes;
5. Detached cluster homes;
6. Private recreational facility;
7. Accessory structures and uses necessary and customarily incidental to a permitted use;

8. Public recreation facilities;
9. Public and quasi-public facilities;
10. Places of religious assembly.

**SEC. 5-40 Uses Permitted by Special Review**

1. Water wells and appurtenances

**SEC. 5-50 Development Standards**

|                                                                                                            |                                                               |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| <b>Total Acreage</b>                                                                                       | 6.27 Acres                                                    |
| <b>Maximum Allowable Density</b>                                                                           | 17.22 DU/AC                                                   |
| <b>Maximum Building Height</b>                                                                             | 45 feet                                                       |
| <b>Building Setbacks</b>                                                                                   |                                                               |
| <ul style="list-style-type: none"> <li>• <b>From local street right-of-way:</b></li> </ul>                 | 10 feet to the structure<br>18 feet to the face of the garage |
| <ul style="list-style-type: none"> <li>• <b>From private drive/court/alley:</b></li> </ul>                 | Driveway must be $\leq 5$ feet or $\geq 18$ feet.             |
| <ul style="list-style-type: none"> <li>• <b>From arterial or collector street right-of-way:</b></li> </ul> | 20 feet                                                       |
| <b>Minimum Building Separation:</b>                                                                        | 10 feet                                                       |

1. All setbacks shall be in accordance with the Town of Parker's Development Design Standards

**SEC. 5-60 Design Guidelines**

1. Minimum lot size will be determined based upon platting. A condominium plat will be required for property within this Planning Area, or the property will be limited to 1 Dwelling Unit per lot.

**SECTION 6 – COMMERCIAL CENTER – PLANNING AREA (PA) 1**

**SEC. 6-10 Description**

The Commercial Center is a total of approximately 11.49 acres.

**SEC. 6-20 Intent**

The Olde Town at Parker Commercial Center or Neighborhood Shopping Village is located at the southeast intersection of Jordan Road and Mainstreet. This area is anticipated to serve the daily needs of the local neighborhood, offering a variety of goods and services. This area shall be configured to provide easy access to the neighborhoods they serve. The design of any use within the commercial shall be a "360 degree" design, i.e., every elevation of a building shall be architecturally "finished" to a similar degree. Likewise, within the building clusters, there shall be architectural compatibility with typical details, (i.e. directional signage, trash enclosures, rooftop mechanical screens etc.), similar building materials, color, massing, scale design details and pedestrian orientation. There shall also be a common landscape concept and a master circulation plan.



**SEC. 6-30        Uses Permitted**

The following uses are permitted in the Commercial Center:

1. Retail business activities, including, but not limited to, the following uses:
  - Antique shops
  - Artist supplies
  - Barbershops and beauty parlors
  - Bars and lounges
  - Book stores
  - Clothing stores
  - Convenience stores with fuel sales
  - Crafts and hobby shops
  - Drug stores
  - Dry cleaning and dyeing
  - Electrical and household appliances
  - Florists
  - Furniture stores, no warehousing – limited storage within the principal structure
  - Gift shops
  - Grocery stores
  - Hardware stores
  - Indoor amusement and recreational facilities
  - Instructional services/studios
  - Jewelry stores
  - Laundries – hand and coin-operated
  - Music shops
  - Office supplies
  - Package liquor stores
  - Paint stores
  - Pet shops
  - Photographic studios, equipment and supplies
  - Restaurants and other eating establishments with or without a drive-thru, including sidewalk cafes and kiosks that provide unique congregating places for sales and shopping interests
  - Shoe stores
  - Sporting good and athletic equipment
  - Stationary stores
  - Toy and game stores
2. Offices: general, medical, dental, professional and governmental
3. Cultural facilities, such as a museum, theater, art gallery;
4. Medical and dental clinics;
5. Child care center
6. Financial offices, including banks, savings and loans, limited to a maximum of 5,000 square feet and not including drive-through facilities;
7. Clubs, lodges, fraternal and service organizations;

8. Public and private schools
9. Health clubs, fitness center;
10. Accessory structures and uses necessary and customarily incidental to the above uses. No outdoor storage shall be permitted; \*
11. Public and quasi-public facilities;
12. Temporary construction yards and construction office, to be removed upon completion of the development; and
13. Places of religious assembly.

\*All uses which are incidental only to the permitted use and which may comply with all of the following conditions, may be operated as an accessory use in business and commercial districts:

1. Is clearly incidental and customary to and commonly associated with the permitted use; and
2. Is operated and maintained under the same ownership and on the same building site as the permitted use.

#### **SEC. 6-40 Uses Permitted by Special Review**

1. Uses that have 24 hour operations
2. Outdoor recreational facilities;
3. Veterinary clinics and hospitals;
4. Financial offices, including banks, savings and loans proposing over 5,000 square feet in area, and/or drive-thru facilities;
5. Funeral homes, mortuaries and crematoria;
6. Pawn shops;
7. Nursing homes, retirement centers and residential style health care facilities.
8. Water wells and appurtenances

#### **SEC. 6-50 Maximum Building Height**

The predominant portion of any building shall not exceed 35 feet in height. Ornamental architectural elements or appurtenances such as stair towers, entry and corner design features, or cupolas shall not exceed 45 feet in height.

#### **SEC. 6-60 Setbacks**

|                                                   |                                 |
|---------------------------------------------------|---------------------------------|
| <b>Front Building Setback</b>                     |                                 |
| • From public and private internal rights-of-way: | 0 feet                          |
| • From Jordan Road and Mainstreet:                | 20 feet                         |
| <b>Side Setbacks</b>                              |                                 |
| • If attached to an adjacent building:            | Minimum of 0 feet               |
| • If not attached to an adjacent building:        | Minimum of 5 feet               |
| <b>Rear Setbacks:</b>                             | 10 feet from all property lines |

1. A minimum 20 foot landscape strip shall be provided along Jordan Road, which shall include pedestrian walkways as indicated on the concept plan.

**SEC. 6-70      Off -Street Loading**

Unless screening has been approved by the Town of Parker, truck docking facilities off any major or minor arterial or adjacent to a residential district, is prohibited.

**SEC. 6-80      Lot Coverage and Open Space**

Lot coverage and common open space requirements shall be in accordance with the Town of Parker Development Design Standards, as amended.

**SEC. 6-90      Design Guidelines**

1. At the time of Site Plan/Final Plat all common design elements including but not limited to a "360 degree" architectural design treatment, thematic architectural design for all buildings, thematic landscape design through the site, minimum landscape buffers, uniform signage treatment, etc. shall be indicated.
2. Off-street parking will comply with the Town of Parker Land Development Code, as amended.

**SECTION 7 – PARK/OPEN SPACE – PLANNING AREA (PA) 8****SEC. 7-10      Description**

The Park/Open Space Area is a total of approximately 11.50 acres.

**SEC. 7-20      Intent**

The Park/ Open Space Area is located in the center of the community. The area contains approximately 11.50 acres and is planned to serve as an easily accessible location for residents within the development. The central park and open space area which includes 7.72 acres will include a neighborhood activity center which will include a club house, swimming pool and pool house, hot tub, tot lot and open play area. The open space will include a regional trail and landscaping. The design of any building within this use area shall be a "360 degree" design.

**SEC. 7-30      Uses Permitted**

The following uses are permitted within the Park/Open Space Area:

1. Outdoor pool and pool house
2. Community building/ club house;
3. Neighborhood activity center
4. Indoor and outdoor private recreation facilities;
5. Trails;
6. Public and quasi-public facilities;
7. Temporary sales trailers, model homes, and show home complexes and accessory uses; and
8. Temporary construction yards and construction office, to be removed upon completion of the development;
9. Accessory structures and uses necessary and customarily incidental to a permitted use; and
10. Drainage facilities and detention ponds.

**SEC. 7-40      Uses Permitted by Special Review**

1. Water wells and appurtenances

**SEC. 7-50        Setbacks**

All buildings shall be setback a minimum of 10 feet from the Planning Area Boundary.

**SEC. 7-60        Maximum Building Height**

The maximum building height of any structure in the Park/Open Space Area shall be 20 feet, with the exception of the clubhouse or pool house facility which may be 35 feet in height.

**SECTION 8 – NOTES**

1. The developer has the right to build at a lower density in any planning area provided the Town has determined that the use is permitted and compatible with surrounding land uses and a finding of compatibility is determined at the time of Preliminary Plan or Site Plan review; provided the developer meets the requirements of that particular zone district and the intent statements of this Development Plan. This reduction shall be considered a minor change, enabling the developer to gain approval of the site without amending the Development Plan.
2. Residential Development Standards shall apply to the use described, regardless of the zone district in which they are found, (i.e., if a Single Family Detached use is proposed in the Single Family Attached Use Area, the Development Standards for the Single Family Detached Use Area shall apply) provided that such use is a Permitted Use or Use by Special Review in the subject Planning Area.
3. All roadway systems are conceptually located to provide access to the site and its environs. Final alignments, access and design will be determined at the time of Sketch/Preliminary Plan review, and shall be in substantial compliance with the Development Plan.
4. Total Park dedication for this development shall be 13.39 acres as depicted on the Development Plan.
5. The 20% open space requirement shall be provided through the following:
  - a) Non-dedicated community open space.
  - b) Cash-in-lieu of open space land paid to the Town for the off-site purchase of open space.
  - c) Improvements to regional trail and parks in lieu of open space.
6. The owner / developer of any property within the area subject to these development standards has the right to continue existing agricultural uses until the time of construction, in accordance with the requirements of Sec.13.04.230 ("Non-conforming Situations") of the Town of Parker Land Development Code as provided herein.

**SECTION 9 – DESIGN INTENT****SEC. 9-10        Circulation, Road Patterns, and Standards**

The roads / streets are laid out based on a dispersed network, so that there are alternate routes to every destination, thereby permitting most streets to be narrower, with slower traffic and reduced trips per day envisioned for these pedestrian oriented streets.

Extensive street trees and detached walks on both sides along the neighborhood street will encourage pedestrians to utilize the "walking street pedestrian system" for day to day local trips within the development.

**SEC. 9-20 View Corridors**

Views from the site can be dramatic, ranging from mountains to the plains. The mountain views to the west include a sweep of approximately 180 degrees assuming many homes an opportunity to have a view. Views to the east include a view of the Cherry Creek open space / drainage corridor and the surrounding Town of Parker.

**SEC. 9-30 Constraints**

Public Service Company's overhead transmission lines are located along the southern boundary of the property paralleling Todd Drive. Traffic noise impacts are anticipated at the intersection of Jordan Road and Mainstreet.

**SEC. 9-40 Community Design Elements**

Community design elements will create the visual amenities that will contribute to making Olde Town at Parker a cohesive, well planned community. Community design elements include landscaping, berming, planting, entry monumentation, pavement textures in select areas, walls, fencing, lighting, parks, pedestrian and bicycle circulation and street furniture.

The external streets and the treatment along these roadways create the window and primary access to the community. It is intended that treatment along the roadways (landscape planting, community design elements and street furniture) be designed and integrated in a way to demonstrate the quality and community concept of Olde Town at Parker. It is intended that street furniture such as benches and street lighting, traffic control devices, bus shelters, kiosks, drinking fountains, bike racks, trash receptacles, fencing along the arterial and collector roads, and signage along the village center, arterials & collectors, shall be installed by the developer, and be of a consistent design vocabulary while adhering to the Town's Sign Code. Street furniture and entry signage will be an integral part of the landscaping areas flanking the arterials and shall have a uniform appearance throughout Olde Town at Parker. Street furniture will complement a theme with an integrated design. Signage along arterials and collectors will be low profile type monument signs with base materials and landscaping which will complement building themes and materials, consistent with the Town's Sign Code.

Development within Olde Town at Parker will comply with all Town of Parker Landscape Guidelines. Landscape planting shall be coordinated with the other community design elements and enhance the quality of the development. Additional design standards shall be submitted to the Town of Parker on or prior to the submission of a Final Plat.

**SEC. 9-50 Community/Architectural Design Elements**

Architectural design and specific area site planning shall encourage high quality development. Design Guidelines shall be submitted to the Town of Parker concurrent with the first Final Plat, ensuring the integration of design control of architecture, street furniture, and establish the character for other areas within Olde Town at Parker. The creation of a homeowner's association and enforcement of design Guidelines are enabled by the Covenants, Conditions and Restrictions (CC&R's) established for the property. The HOA will be responsible for enforcing the CC&R's and the Design Guidelines. The Design Guidelines will be provided to the Town as a courtesy.

Olde Town at Parker is a planned development and special consideration must be given to the siting of all improvements with emphasis on the relationship to existing grades, and the relationship to neighboring sites and vistas. All residences will have exterior elevations, roofs and details that shall be coordinated and consistent in their architectural treatment. Exterior elevations shall be designed to complement the natural and man enhanced

environments of Olde Town at Parker. Large surfaces of bright colors and reflective exterior surfaces shall be prohibited excluding all glazed areas. Panels of bright colors may be utilized for an architectural statement on certain panels or doors, but again, may not be utilized on mass surfaces.

Fencing - The developer / builder shall submit detailed fence designs with the Final Plat and/ or Site Plan. The design and materials for any fencing along any arterial or collector road shall be based on a unified theme and character determined at the time of initial Final Plat, which shall reflect the overall design intent for the development. Individual panel or specific lot fence designs shall be prohibited on all fences along arterial and/or collector roads.

Common Area Landscaping - All common areas along arterials and collector roads, buffers, entry areas, pedestrian walkways and under the Jurisdiction of the Olde Town at Parker Homeowner's Association, or other quasi-government entity shall be landscaped in accordance with a master landscape plan which shall be submitted with the Final Plat and/ or Site Plan subject to approval by the Town of Parker. The landscape plans shall indicate, but not be limited to, plant materials, grading, soil, irrigation, landscape, signs, lighting, etc., and shall be prepared by a landscape architect, and shall meet or exceed the landscape requirements specified in Sec. 13.06.070 of the Town of Parker Land Development Code as amended.

All landscaping within a public right-of-way will require a license agreement issued by the Town of Parker Public Works Department. The agreement shall be assigned to the homeowner's or commercial owner's association therefore requiring the maintenance and irrigation, including tap, by the assigned entity or individual homeowner. Maintenance, irrigation and the water source, of the tree lawns along public streets adjacent to a Single Family lot is the responsibility of the lot owner. Maintenance and irrigation of all common area landscaping, including right-of-way landscaping along Jordan Road and Motsenbocker Road shall be the responsibility of the homeowner's association. Maintenance and irrigation of all landscaping along Mainstreet and Jordan Road adjacent to the Commercial Center shall be the responsibility of the Commercial owner's association or management company.

## **SECTION 10 – EXHIBITS**

**Exhibit A: Legal Description**

**Exhibit B: PD Development Plan**



OLDE TOWN AT PARKER PLANNED DEVELOPMENT AMENDMENT

EXHIBIT A

LAND DESCRIPTION

A PARCEL OF LAND IN THE WEST HALF OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21, THENCE N00°20'54"W ALONG THE WESTERLY LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING;

THENCE N00°20'54"W ALONG SAID WESTERLY LINE, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED IN BOOK 753 PAGE 617, A DISTANCE OF 302.18 FEET;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED RECEPTION NUMBERS 2002116352 AND 2003092239 THE FOLLOWING SEVEN (7) CONSECUTIVE COURSES;

1. N03°27'57"E A DISTANCE OF 117.25 FEET;
2. THENCE N89°39'06"E A DISTANCE OF 19.21 FEET;
3. THENCE N00°20'54"W A DISTANCE OF 1016.14 FEET TO A POINT OF CURVATURE;
4. THENCE 137.41 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 09°00'29", A RADIUS OF 874.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 137.27' FEET TO A POINT OF TANGENCY;
5. THENCE N08°39'35"E A DISTANCE OF 289.60 FEET TO A POINT OF CURVATURE;
6. THENCE 164.14 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 09°00'29", A RADIUS OF 1044.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 163.97 FEET TO POINT OF TANGENCY;
7. THENCE N00°20'54"W A DISTANCE OF 296.99 FEET TO A POINT OF CURVATURE;

THENCE 78.60 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 90°03'52", A RADIUS OF 50.00 FEET AND A CHORD WHICH BEARS N44°41'02"E A DISTANCE OF 70.75 FEET TO A POINT OF TANGENCY ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST MAIN STREET AS RECORDED AT RECEPTION NUMBERS 2002116352 AND 2003092239;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) CONSECUTIVE COURSES;

1. N89°42'58"E A DISTANCE OF 363.74 FEET TO A POINT OF CURVATURE;
2. THENCE 278.26 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 10°30'50", A RADIUS OF 1516.39 FEET AND A CHORD WHICH BEARS N84°27'33"E A DISTANCE OF 277.87 FEET;
3. THENCE N10°47'52"W A DISTANCE OF 15.00 FEET;
4. THENCE 181.43 FEET ALONG THE ARC OF NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE 06°55'25", A RADIUS OF 1501.39 FEET AND A CHORD WHICH BEARS N75°44'25"E A DISTANCE OF 181.32 TO A POINT ON THE NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID NORTHERLY LINE, N89°42'58"E A DISTANCE OF 100.15 FEET;

THENCE N00°23'18"W A DISTANCE OF 2.02 FEET TO A POINT ON THE SOUTHERLY LINE OF CLARKE FARMS SUBDIVISION, FILING NO. 2A AS RECORDED AT RECEPTION NO. 9306811;

THENCE ALONG SAID SOUTHERLY LINE, THE FOLLOWING SIX (6) CONSECUTIVE COURSES;

1. N89°36'42"E A DISTANCE 258.06 FEET;
2. THENCE N89°35'34"E A DISTANCE OF 117.35 FEET;
3. THENCE S00°19'07"E A DISTANCE OF 27.35 FEET;
4. THENCE N89°30'01"E A DISTANCE OF 50.01 FEET;

5. THENCE N00°19'07"W A DISTANCE OF 27.27 FEET
6. THENCE N89°35'34"E A DISTANCE OF 233.63 FEET TO A POINT ON THE WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3 AS RECORDED AT RECEPTION NUMBER 2013010637.

THENCE ALONG SAID WESTERLY LINE S00°24'26"E A DISTANCE OF 3.35 FEET TO A POINT ON SAID NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3, S00°02'02"E A DISTANCE OF 682.11 FEET TO A POINT ON THE NORTHERLY LINE OF OLDE TOWN AT PARKER FILING NO. 1B-2 AS RECORDED AT RECEPTION NUMBER \_\_\_\_\_;

THENCE ALONG SAID NORTHERLY LINE N89°34'55"E A DISTANCE 644.54 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH MOTSENBOCKER ROAD AS RECORDED AT RECEPTION NUMBERS 2002116352 AND 2017075212;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING FOURTEEN (14) CONSECUTIVE COURSES;

1. S00°02'02"E A DISTANCE OF 77.50 FEET TO A POINT OF CURVATURE;
2. THENCE 172.69 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 590.00 FEET, A CENTRAL ANGLE OF 16°46'12" AND A CHORD WHICH BEARS S08°25'08"E A DISTANCE OF 172.07 FEET TO A POINT OF TANGENCY;
3. THENCE S16°48'14"E A DISTANCE OF 30.84 FEET;
4. THENCE N72°41'42"E A DISTANCE OF 3.59 FEET;
5. THENCE S15°53'49"E A DISTANCE OF 301.80 FEET;
6. THENCE S10°18'46"E A DISTANCE OF 71.94 FEET;
7. THENCE S15°53'49"E A DISTANCE OF 79.96 FEET;
8. THENCE S16°36'56"E A DISTANCE OF 387.85 FEET TO A POINT OF CURVATURE;
9. THENCE 55.13 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 535.00 FEET, A CENTRAL ANGLE OF 05°54'15" AND A CHORD WHICH BEARS S13°39'48"E A DISTANCE OF 55.11 FEET;
10. THENCE 20.12 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 510.00 FEET, A CENTRAL ANGLE OF 02°15'37" AND A CHORD WHICH BEARS S01°48'01"E A DISTANCE OF 20.12 FEET TO A POINT OF TANGENCY;
11. THENCE S00°40'13"E A DISTANCE OF 598.66 FEET;
12. THENCE S00°33'44"E A DISTANCE OF 182.24 FEET;
13. THENCE 3.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5.00 FEET, A CENTRAL ANGLE OF 37°56'39" AND A CHORD WHICH BEARS S18°24'35"W A DISTANCE OF 3.25 FEET TO A POINT OF TANGENCY;
14. THENCE S37°22'55"W A DISTANCE OF 31.26 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID SOUTHERLY LINE, S89°26'16"W A DISTANCE OF 345.53 FEET TO A POINT ON THE EASTERLY LINE OF A PARCEL OF LAND RECORDED AT BOOK 131, PAGE 102;

THENCE ALONG THE EASTERLY AND NORTHERLY LINE OF SAID PARCEL THE FOLLOWING TWO (2) CONSECUTIVE COURSES;

1. N00°40'14"W A DISTANCE OF 210.00 FEET;
2. THENCE S89°26'16"W A DISTANCE OF 2269.52 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID JORDAN ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING.

PARCEL CONTAINS 127.453 ACRES OR 5,551,834 SQUARE FEET MORE OR LESS.

ALL LINEAL DISTANCES ARE IN U.S. SURVEY FEET.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN ASSUMED TO BEAR S00°20'54"E AND BEING MONUMENTED BY A FOUND 2" ALUMINUM CAP IN RANGE BOX PLS #13487 AT THE WEST QUARTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #25645 AT THE SOUTHWEST CORNER.

PREPARED BY AUGUSTUS TERRY  
FOR AND ON BEHALF OF  
MARTIN/MARTIN, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, COLORADO 80215  
303-431-6100  
NOVEMBER 20, 2018

# Exhibit B

## Olde Town At Parker A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO

### PD Development Plan SHEET 1 OF 1

VICINITY MAP NOT TO SCALE



- NOTES**
1. NO FLOODPLAIN EXISTS ON THIS SITE.
  2. ALL EXISTING STRUCTURES ON THIS SITE SHALL BE REMOVED.
  3. EXISTING ZONING - PD
  4. WATER AND SEWER TO BE PROVIDED BY PARKER WATER AND SANITATION DISTRICT.

#### LAND USE SUMMARY

| PA     | Planning Area              | Area   | Dwelling Units | Density | Min. Density | % of Acreage |
|--------|----------------------------|--------|----------------|---------|--------------|--------------|
| 4.6.7  | 3.5' Attached Row*         | 56.37  | 345            | 4.35    | 4.35         | 45.0%        |
| 3      | 3.5' Cluster               | 7.08   | 74             | 10.45   | 10.29        | 5.7%         |
| 2.5.10 | 3.5' Attached              | 20.85  | 123            | 11.08   | 11.08        | 8.2%         |
| 3.5.6  | Chairs Residential         | 13.89  | 104            | 7.49    | 10.30        | 10.7%        |
| 9      | Condominium                | 6.27   | 108            | 17.22   | 17.22        | 4.9%         |
| 2      | Commercial Center          | 11.49  | N/A            | N/A     | N/A          | 8.9%         |
| 8      | Park/Open Space            | 11.50  | N/A            | N/A     | N/A          | 8.9%         |
|        | Internal Street**          | 8.41   | N/A            | N/A     | N/A          | 6.6%         |
|        | Motenbocker ROW Dedication | 0.90   | N/A            | N/A     | N/A          | 0.7%         |
|        | Open Space/Trail           | 2.76   | N/A            | N/A     | N/A          | 2.2%         |
|        |                            | 128.93 | 649            | 5.01    | 5.78         | 100.0%       |

\* INCLUDES INTERNAL OPEN SPACE

\*\* AS SHOWN ON PLAN

\*\*\* MAXIMUM DENSITIES FOR ALL PAs EXCEPT PA-9 WERE ESTABLISHED VIA PREVIOUS PD AMENDMENTS.

#### PLANNING COMMISSION ACCEPTANCE:

THIS DEVELOPMENT PLAN WAS REVIEWED AND RECOMMENDED FOR APPROVAL BY THE TOWN OF PARKER PLANNING COMMISSION FOLLOWING A PUBLIC HEARING HELD ON \_\_\_\_\_, 2020.

PLANNING DIRECTOR, ON BEHALF OF THE TOWN OF PARKER PLANNING COMMISSION

#### TOWN COUNCIL ACCEPTANCE:

THIS DEVELOPMENT PLAN WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, FOR THE PROPERTY DESCRIBED AS OLDE TOWN AT PARKER. THE ZONING INFORMATION SHOWN HEREON WAS CONFIRMED WITH ADOPTION OF ORDINANCE NO. \_\_\_\_\_.

MAYOR, TOWN OF PARKER

ATTEST:  
TOWN CLERK

#### CLERK AND RECORDER'S CERTIFICATE

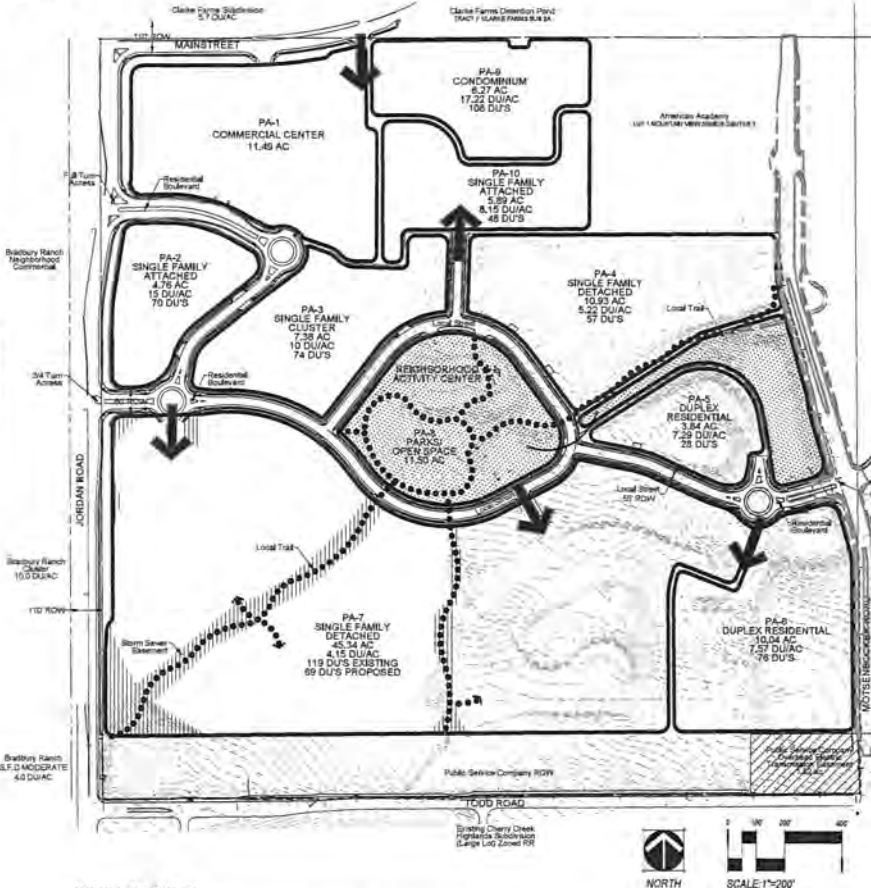
STATE OF COLORADO }  
COUNTY OF DOUGLAS }

I HEREBY CERTIFY THAT THIS DEVELOPMENT PLAN WAS FILED IN MY OFFICE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019 A.D. AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M AND WAS RECORDED WITH RECEPTION NUMBER \_\_\_\_\_.

DOUGLAS COUNTY RECORDER

#### LEGEND

- Local Trail
- Access Points
- Designated Parks/Open Space within Planning Area
- Park/Open Space



#### PARKS/OPEN SPACE

1. PARKS DEDICATION REQUIRED  
2ND AMENDMENT (2017): 649 DU'S X 3.0 PEOPLE/DU / 1,000 X 7.5 = 14.80 AC\*\*  
3RD AMENDMENT (2020): 156 DU'S X 0.0139 AC/UNIT = 2.17 AC\*\*  
TOTAL PARK DEDICATION REQUIRED: 15.96 AC
2. PARK DEDICATION PROVIDED:  
A. PA-9 (PARK/CLUSTER/RECREATION CENTER): 7.22 AC  
B. POCKET PARKS/OPEN SPACE IN PA-7: 2.70 AC  
C. REGIONAL TRAIL CORRIDOR IN PA-7 & PA-9: 3.69 AC  
D. PARK LANDS IN PA-9 & PA-10: 2.18 AC  
TOTAL PARK DEDICATION CREDIT: 15.79 AC
3. OPEN SPACE REQUIRED: 20% OF AREA
4. OPEN SPACE TO BE MET THROUGH THE FOLLOWING:  
A. NON-DEDICATED COMMUNITY OPEN SPACE AREAS  
B. CASH-IN-LIEU OF OPEN SPACE PAID TO TOWN OF PARKER  
C. IMPROVEMENTS TO REGIONAL TRAIL AND PARKS IN LIEU OF OPEN SPACE

\* REFLECTS PREVIOUS PARKS DEDICATION FORMULA USED TO CALCULATE REQUIREMENT WITH THE 2017 PD AMENDMENT.  
\*\* REFLECTS CURRENT PARKS DEDICATION FORMULA USED FOR CURRENT CALCULATION.

#### LEGAL DESCRIPTION:

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST QUARTER OF SAID SECTION 21;

THENCE N00°20'54"W ALONG THE WESTERLY LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING;

THENCE N00°20'54"W ALONG SAID WESTERLY LINE, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED IN BOOK 753 PAGE 527, A DISTANCE OF 302.18 FEET;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF JORDAN ROAD AS RECORDED RECEPTION NUMBERS 2002116352 AND 2004092239 THE FOLLOWING SEVEN (7) CONSECUTIVE COURSES;

1. N03°27'57"E A DISTANCE OF 117.25 FEET;
2. THENCE N89°39'06"E A DISTANCE OF 19.21 FEET;
3. THENCE N00°20'54"W A DISTANCE OF 1016.14 FEET TO A POINT OF CURVATURE;
4. THENCE 137.41 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 0°09'29", A RADIUS OF 874.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 137.27 FEET TO A POINT OF TANGENCY;
5. THENCE N08°39'35"E A DISTANCE OF 289.60 FEET TO A POINT OF CURVATURE;
6. THENCE 184.14 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 0°04'28", A RADIUS OF 1044.00 FEET AND A CHORD WHICH BEARS N04°09'20"E A DISTANCE OF 163.97 FEET TO A POINT OF TANGENCY;
7. THENCE N00°20'54"W A DISTANCE OF 296.99 FEET TO A POINT OF CURVATURE;

THENCE 78.60 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE 90°03'52", A RADIUS OF 50.00 FEET AND A CHORD WHICH BEARS N44°41'02"E A DISTANCE OF 70.75 FEET TO A POINT OF TANGENCY ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST MAIN STREET AS RECORDED RECEPTION NUMBERS 2002116352 AND 2003092239;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) CONSECUTIVE COURSES;

1. N89°42'58"E A DISTANCE OF 363.74 FEET TO A POINT OF CURVATURE;
2. THENCE 278.76 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE 10°30'50", A RADIUS OF 1516.39 FEET AND A CHORD WHICH BEARS N04°27'33"E A DISTANCE OF 277.87 FEET;
3. THENCE N10°47'32"W A DISTANCE OF 15.00 FEET;
4. THENCE 181.43 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE 06°55'25", A RADIUS OF 1501.39 FEET AND A CHORD WHICH BEARS N75°44'25"E A DISTANCE OF 181.32 TO A POINT ON THE NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID NORTHERLY LINE, N89°42'58"E A DISTANCE OF 100.15 FEET;

THENCE N00°23'18"W A DISTANCE OF 2.02 FEET TO A POINT ON THE SOUTHERLY LINE OF CLARKE FARMS SUBDIVISION, FILING NO. 2A AS RECORDED AT RECEPTION NO. 9306831;

THENCE ALONG SAID SOUTHERLY LINE, THE FOLLOWING SIX (6) CONSECUTIVE COURSES;

1. N89°36'42"E A DISTANCE OF 258.06 FEET;
2. THENCE N89°35'34"E A DISTANCE OF 117.35 FEET;
3. THENCE S00°19'07"E A DISTANCE OF 27.35 FEET;
4. THENCE N09°30'01"E A DISTANCE OF 50.01 FEET;
5. THENCE N00°19'07"W A DISTANCE OF 27.27 FEET;
6. THENCE N89°35'34"E A DISTANCE OF 233.65 FEET TO A POINT ON THE WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3 AS RECORDED AT RECEPTION NUMBER 2033036437.

THENCE ALONG SAID WESTERLY LINE S00°24'29"E A DISTANCE OF 1.33 FEET TO A POINT ON SAID NORTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID WESTERLY LINE OF MOUNTAIN VIEW SENIOR CENTER FILING NO. 3, S00°02'02"E A DISTANCE OF 682.11 FEET TO A POINT ON THE NORTHERLY LINE OF OLDE TOWN AT PARKER FILING NO. 18-2 AS RECORDED AT RECEPTION NUMBER 2018070436;

THENCE ALONG SAID NORTHERLY LINE N89°34'55"E A DISTANCE 644.54 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH MOTENBOCKER ROAD AS RECORDED RECEPTION NUMBERS 2002116352 AND 2017075232;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING FOURTEEN (14) CONSECUTIVE COURSES;

1. S00°02'02"E A DISTANCE OF 77.50 FEET TO A POINT OF CURVATURE;
2. THENCE 172.89 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 390.00 FEET, A CENTRAL ANGLE OF 16°46'12" AND A CHORD WHICH BEARS S08°25'08"E A DISTANCE OF 172.07 FEET TO A POINT OF TANGENCY;
3. THENCE S15°48'14"E A DISTANCE OF 30.84 FEET;
4. THENCE N72°41'43"E A DISTANCE OF 3.59 FEET;
5. THENCE S15°53'49"E A DISTANCE OF 301.80 FEET;
6. THENCE S01°18'45"E A DISTANCE OF 71.94 FEET;
7. THENCE S15°53'49"E A DISTANCE OF 79.96 FEET;
8. THENCE S16°36'36"E A DISTANCE OF 387.85 FEET TO A POINT OF CURVATURE;
9. THENCE 55.13 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 535.00 FEET, A CENTRAL ANGLE OF 05°54'15" AND A CHORD WHICH BEARS S13°39'48"E A DISTANCE OF 55.11 FEET;
10. THENCE 20.12 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 510.00 FEET, A CENTRAL ANGLE OF 02°15'37" AND A CHORD WHICH BEARS S01°48'01"E A DISTANCE OF 20.12 FEET TO A POINT OF TANGENCY;
11. THENCE S00°40'13"E A DISTANCE OF 598.66 FEET;
12. THENCE S00°33'44"E A DISTANCE OF 182.24 FEET;
13. THENCE 4.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5.00 FEET, A CENTRAL ANGLE OF 37°36'39" AND A CHORD WHICH BEARS S18°24'35"W A DISTANCE OF 3.25 FEET TO A POINT OF TANGENCY;
14. THENCE S47°22'35"W A DISTANCE OF 31.26 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 21;

THENCE ALONG SAID SOUTHERLY LINE, S89°26'16"W A DISTANCE OF 345.53 FEET TO A POINT ON THE EASTERLY LINE OF A PARCEL OF LAND RECORDED AT BOOK 131, PAGE 102;

THENCE ALONG THE EASTERLY AND NORTHERLY LINE OF SAID PARCEL THE FOLLOWING TWO (2) CONSECUTIVE COURSES;

1. N00°40'14"W A DISTANCE OF 210.00 FEET;
2. THENCE S89°26'16"W A DISTANCE OF 228.52 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID JORDAN ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING;

PARCEL CONTAINS 127.458 ACRES OR 5,551.88 SQUARE FEET MORE OR LESS.

APPLICANT

PNC New Town, LLC  
4800 South Syracuse Street  
Suite 900  
Denver, CO 80229

PREPARED BY / LAND PLANNER / LANDSCAPE ARCHITECT

NOBIS DESIGN

REVISIONS  
REVISION 04-03-20  
REVISION 06-04-20  
REVISION 06-02-20  
REVISION 11-02-19  
REVISION 01-06-17  
REVISION 03-28-17  
REVISION 04-15-19  
REVISION 05-25-19  
REVISION 02-18-20  
REVISION 04-03-20  
REVISION 04-30-20

SHEET 1 OF 1



## Conceptual Plan for Senderos Creek North & Senderos Creek





| TRACT C SUMMARY TABLE |                        |                   |                 |                          |                               |                                    |                                        |                 |                         |
|-----------------------|------------------------|-------------------|-----------------|--------------------------|-------------------------------|------------------------------------|----------------------------------------|-----------------|-------------------------|
| TYPE OF AREA          | DRY UTILITY ESMT. (SF) | ACCESS ESMT. (SF) | PWSD ESMT. (SF) | PWSD & ACCESS ESMT. (SF) | PWSD & DRY UTILITY ESMT. (SF) | DRY UTILITY & ACCESS EASEMENT (SF) | DRY UTILITY & ACCESS & PWSD ESMT. (SF) | OPEN SPACE (SF) | TOTAL TRACT B AREA (SF) |
| SQUARE FOOTAGE        | 11,542                 | 13,220            | 3,557           | 40,122                   | 105                           | 1,274                              | 1,443                                  | 30,334          | 101659                  |
| %                     | 11.36%                 | 13.01%            | 3.50%           | 39.49%                   | 0.10%                         | 1.25%                              | 1.42%                                  | 29.86%          | 100.00%                 |

PARCEL CONTAINS 15.369 ACRES OR 669,493 SQUARE FEET MORE OR LESS.

ACKNOWLEDGEMENT:

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS OF THE LANDS DESCRIBED HEREIN, HEREBY ACKNOWLEDGE THAT ANY SUBDIVISION APPROVAL OBTAINED BY THE TOWN OF PARKER DOES NOT OBLVATE 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.

**OWNER:** SENDEROS CREEK CONDOS, LLC, A COLORADO LIMITED LIABILITY COMPANY, AND SENDEROS CREEK COMMERCIAL, LLC, A COLORADO LIMITED LIABILITY COMPANY.

BY: \_\_\_\_\_  
NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_

NOTARY:

STATE OF COLORADO        )  
                                          ) SS  
COUNTY OF DOUGLAS       )

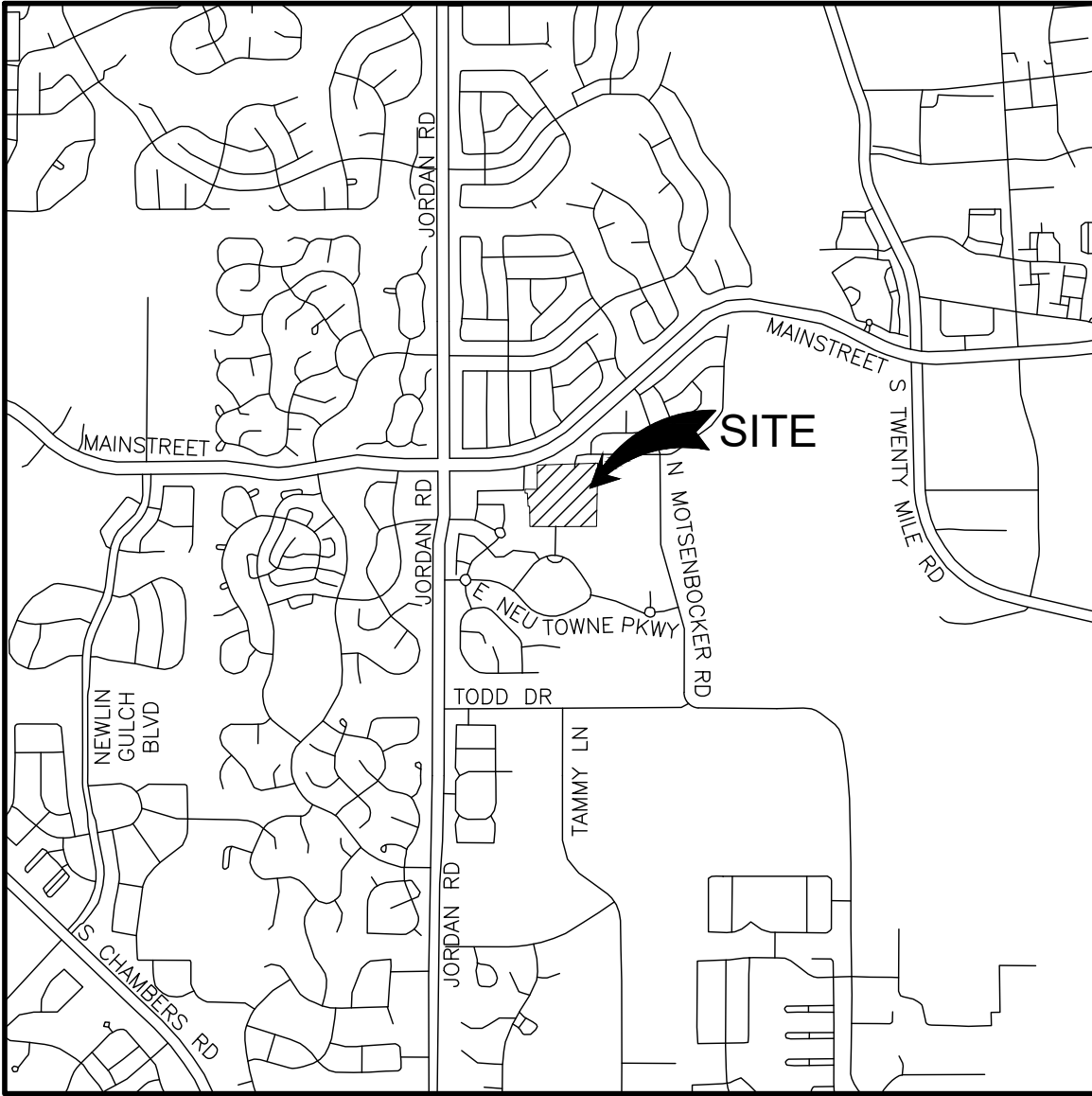
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGE BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.  
BY \_\_\_\_\_ AS \_\_\_\_\_ OF SENDEROS CREEK CONDOS, LLC, A COLORADO LIMITED LIABILITY COMPANY AND SENDEROS CREEK COMMERCIAL, LLC, A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY PUBLIC  
ADDRESS

RICHARD A. NOBBE, P.L.S. #23899  
FOR AND ON BEHALF OF MARTIN/MARTIN, INC.

| SHEET INDEX |                    |
|-------------|--------------------|
| NUMBER      | TITLE              |
| 01          | COVER              |
| 02          | VACATION PLAN      |
| 03          | SKETCH PLAN        |
| 04          | SKETCH PLAN        |
| 05          | SKETCH PLAN        |
| 06          | SEPARATE EASEMENTS |
| 07          | SEPARATE EASEMENTS |
| 08          | SEPARATE EASEMENTS |



VICINITY MAP

SCALE: 1"=2000'

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 THOSE ITEMS AS SHOWN ON THE LAND TITLE GUARANTEE COMPANY COMMITMENT NO. ABC70616397.1 WITH AN EFFECTIVE DATE OF APRIL 16, 2019 AT 5:00 P.M.

DATE: \_\_\_\_\_ LAND TITLE GUARANTEE COMPANY

NOTARY:

STATE OF COLORADO        )  
                                          ) SS  
COUNTY OF DOUGLAS       )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGE BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.  
BY \_\_\_\_\_, AS AN AUTHORIZED SIGNATORY OF \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY PUBLIC  
ADDRESS

SURVEYOR'S CERTIFICATION:

I, RICHARD A. NOBBE, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF OLDE TOWN AT PARKER, FILING 2 WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION ON OR ABOUT THE 20TH DAY OF FEBRUARY, 2017, 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 \_\_\_\_\_, 2020.

| TRACT SUMMARY TABLE |             |            |                                          |                         |
|---------------------|-------------|------------|------------------------------------------|-------------------------|
| TRACT               | AREA (S.F.) | AREA (AC.) | USE                                      | OWNERSHIP               |
| A                   | 37,242      | 0.8550     | OPEN SPACE, UTILITIES & DRAINAGE         | HOME OWNERS ASSOCIATION |
| B                   | 39,828      | 0.9140     | OPEN SPACE, UTILITIES & DRAINAGE         | HOME OWNERS ASSOCIATION |
| C                   | 101,659     | 2.3320     | OPEN SPACE, UTILITIES, DRAINAGE & ACCESS | HOME OWNERS ASSOCIATION |
| D                   | 26,159      | 0.6010     | OPEN SPACE, UTILITIES & DRAINAGE         | HOME OWNERS ASSOCIATION |

| LAND USE SUMMARY TABLE |             |         |         |
|------------------------|-------------|---------|---------|
| USAGE                  | AREA (S.F.) | ACREAGE | %       |
| RESIDENTIAL LOTS       | 319,307     | 7.330   | 47.70%  |
| COMMERCIAL LOTS        | 139,608     | 3.205   | 20.85%  |
| PUBLIC RIGHTS OF WAY   | 5,674       | 0.130   | 0.85%   |
| ACCESS/OPEN SPACE      | 101,659     | 2.334   | 15.18%  |
| OPEN SPACE             | 103,225     | 2.370   | 15.42%  |
| TOTAL                  | 669,495     | 15.369  | 100.00% |

NOTES:

1. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
2. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
3. THE LINEAL UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
4. **BASIS OF BEARING:** BEARINGS ARE BASED ON THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN ASSUMED TO BEAR S00°21'11"E AND BEING MONUMENTED BY A FOUND 2" ALUMINUM CAP IN RANGE BOX PLS #13487 AT THE WEST QUARTER CORNER AND A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX PLS #25645 AT THE SOUTHWEST CORNER.
5. OWNER WAIVES, REMISES, AND RELEASED ANY RIGHT OR CAUSE OF ACTION IT MAY NOW HAVE OR WHICH IT MAY HAVE IN THE FUTURE AGAINST THE TOWN OF PARKER, ITS OFFICERS, EMPLOYEES, AND AGENTS RELATED TO OR RESULTING FROM THE PASSAGE OF AIRCRAFT IN THE AIRSPACE ABOVE THE PROPERTY THAT IS THE SUBJECT OF THIS FINAL PLAT.
6. THIS SKETCH / PRELIMINARY PLAN CONSISTS OF 51 LOTS AND 4 TRACTS.
7. BLANKET DRAINAGE EASEMENTS ARE HEREBY DEDICATED TO THE TOWN OF PARKER OVER AND ACROSS TRACTS A, B, C, AND D FOR THE PURPOSE OF ACCESSING, MAINTAINING AND REPAIRING STORM WATER MANAGEMENT IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO, INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES, RIPRAP, DETENTION BASINS, FOREBAYS, MICRO-POOLS, AND WATER QUALITY FACILITIES (COLLECTIVELY "FACILITIES" IN THE EVENT THE OWNER, ITS SUCCESSORS AND ASSIGNS ("SYSTEM OWNER") FAILS TO SATISFACTORILY MAINTAIN OR REPAIR SAID FACILITIES. A BLANKET ACCESS EASEMENT OVER TRACTS A, B, C AND D IS ALSO GRANTED TO THE TOWN OF PARKER, BUT ONLY FOR THE PURPOSE OF ACCESSING THE FACILITIES IN THE EVENT THAT THE DRAINAGE EASEMENTS DO NOT PROVIDE ADEQUATE ACCESS.
8. WITHIN SIGHT TRIANGLES, AS SHOWN, LIMITED LANDSCAPING SHALL BE ALLOWED BUT NO SOLID STRUCTURES OR TREES WILL BE PERMITTED. SOLID STRUCTURES SHALL INCLUDE, BUT NOT BE LIMITED TO, FENCES, MAILBOXES, AND UTILITY BOXES. LANDSCAPING WITHIN THE SIGHT TRIANGLES WILL BE LIMITED TO SHRUBS AND PLANTINGS THAT AT MATURITY WILL BE NO TALLER THAN TWO FEET. LANDSCAPING WITHIN THE SIGHT TRIANGLE SHALL BE MAINTAINED BY THE PROPERTY OWNER OR APPROPRIATE ASSOCIATION.
9. NO CERTIFICATES OF OCCUPANCY, TEMPORARY OR OTHERWISE WILL BE ISSUED UNTIL ALL PUBLIC IMPROVEMENTS ARE COMPLETED AND ACCEPTED IN WRITING BY THE TOWN.
10. NO CERTIFICATES OF OCCUPANCY, TEMPORARY OR OTHERWISE SHALL BE ISSUED UNTIL THE LANDSCAPING IS INSTALLED AND APPROVED BY THE TOWN OR AS OTHERWISE ALLOWED IN THE LAND DEVELOPMENT CODE.
11. PRIVATE ACCESS DRIVES/ROADWAYS MUST BE CONSTRUCTED PRIOR TO THE ISSUANCE OF TEMPORARY CERTIFICATE OF OCCUPATION AND/OR CERTIFICATE OF OCCUPANCY FOR ANY DEVELOPMENT OCCURRING ON PROPERTY SHOWN HEREIN.
12. ACCESS EASEMENTS ARE HEREBY GRANTED OVER ALL PRIVATE ENTRANCES AND INTERNAL ROADWAYS WITHIN THE PROPERTY FOR THE BENEFIT OF ALL CURRENT AND FUTURE OWNERS OF THE PROPERTY FOR INGRESS, EGRESS AND TRAFFIC CIRCULATION. SHOULD THE PROPERTY BE FURTHER SUBDIVIDED INTO ADDITIONAL LOTS, ALL SUCH LOTS SHALL HAVE THE RIGHT TO USE ALL SUCH ENTRANCES AND INTERNAL ROADWAYS FOR PUBLIC ACCESS PURPOSES.
13. THIS PLAT IS SUBJECT TO A PERPETUAL, NON-EXCLUSIVE CROSS-PARKING EASEMENT FOR THE BENEFIT OF ALL LOTS AND TRACTS DESCRIBED HEREIN FOR THE SHARED USE OF ALL PARKING SPACES SITUATED ON THE PROPERTY DESCRIBED HEREIN. THE OWNER OF EACH LOT AND/OR TRACT SHALL KEEP AND MAINTAIN THE PARKING SPACES CONTAINED WITHIN THEIR RESPECTIVE LOT AND/OR TRACT IN A COMMERCIALLY REASONABLE CONDITION AND STATE OF REPAIR.
14. ROOF OVERHANGS WITH A MAXIMUM TWO-FOOT (2') ENCROACHMENT MAY BE LOCATED WITHIN "UTILITY EASEMENTS" PROVIDED THEY DO NOT INTERFERE WITH THE USE OF, OBSTRUCT THE OPERATION OF, OR ACCESS TO SAID EASEMENT.

**OWNER/DEVELOPER**  
SENDEROS CREEK CONDOS, LLC  
SENDEROS CREEK COMMERCIAL, LLC  
4600 SOUTH SYRACUSE STREET, SUITE 900  
DENVER, CO 80237

**CIVIL ENGINEER/SURVEYOR**  
MARTIN/MARTIN CONSULTING ENGINEERS, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, CO 80215

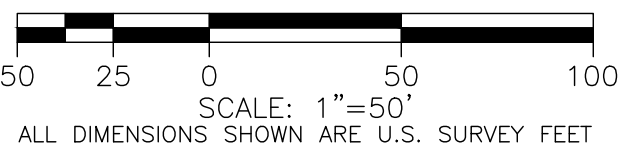
JUNE 05, 2020  
MAY 01, 2020  
FEBRUARY 25, 2020  
NOVEMBER 11, 2019  
APRIL 18, 2019

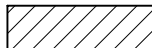
SHEET 01 OF 08

**MARTIN/MARTIN**  
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303.431.6100 MARTINMARTIN.COM  
SURVEY@MARTINMARTIN.COM



SHEET 02 OF 08 SHEETS



| EXISTING                                                                              | LEGEND                                                         | PROPOSED |
|---------------------------------------------------------------------------------------|----------------------------------------------------------------|----------|
| _____                                                                                 | BOUNDARY LINE                                                  | _____    |
| _____                                                                                 | PROPERTY LINE                                                  | _____    |
| _____                                                                                 | RIGHT-OF-WAY LINE                                              | _____    |
| _____                                                                                 | LOT LINE                                                       | _____    |
| _____                                                                                 | LOT LINE TO BE VACATED                                         | _____    |
| _____                                                                                 | TRACT LINE                                                     | _____    |
| _____                                                                                 | SECTION LINE                                                   | _____    |
| _____                                                                                 | SIGHT DISTANCE LINE                                            | _____    |
| _____                                                                                 | EASEMENT                                                       | _____    |
|                                                                                       | DRIVE                                                          | DRIVE    |
| △                                                                                     | FOUND. NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 36580 |          |
| ○                                                                                     | FOUND. NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 38510 |          |
| △                                                                                     | FOUND. NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 25543 |          |
| ◀                                                                                     | SET #4 REBAR W/ CAP<br>PLS #23899                              |          |
| ●                                                                                     | EXISTING PIN                                                   |          |
| ▲                                                                                     | FOUND MONUMENT AS LABELED                                      |          |
|  | EASEMENTS<br>TO BE VACATED                                     |          |

JUNE 05, 2020  
MAY 01, 2020  
FEBRUARY 25, 2020  
NOVEMBER 11, 2019  
APRIL 18, 2019

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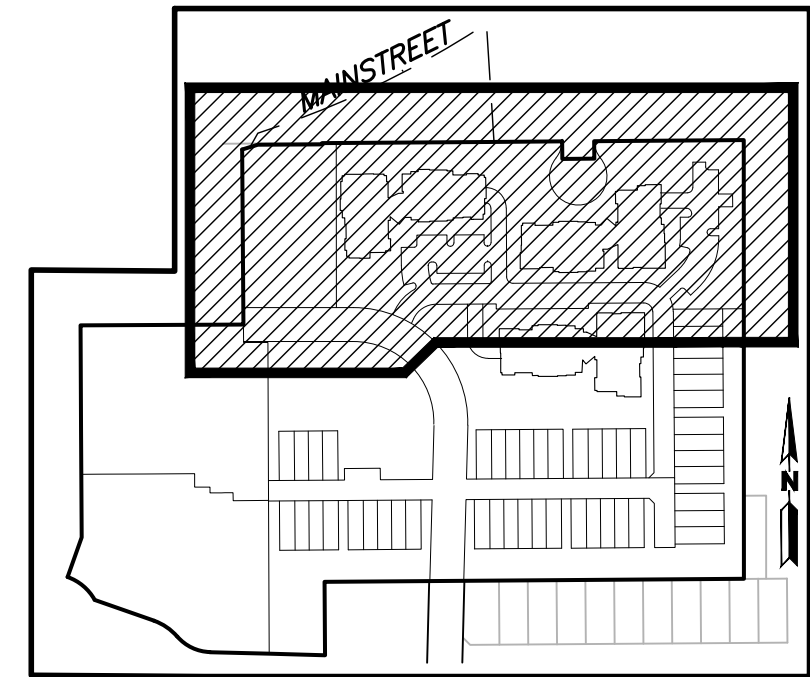
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Surveyed By: RAN Drawn By: MAW Job Number: 17.1060 Sheet Number: ##/## Of 8

Plot Date:  
6/15/2020

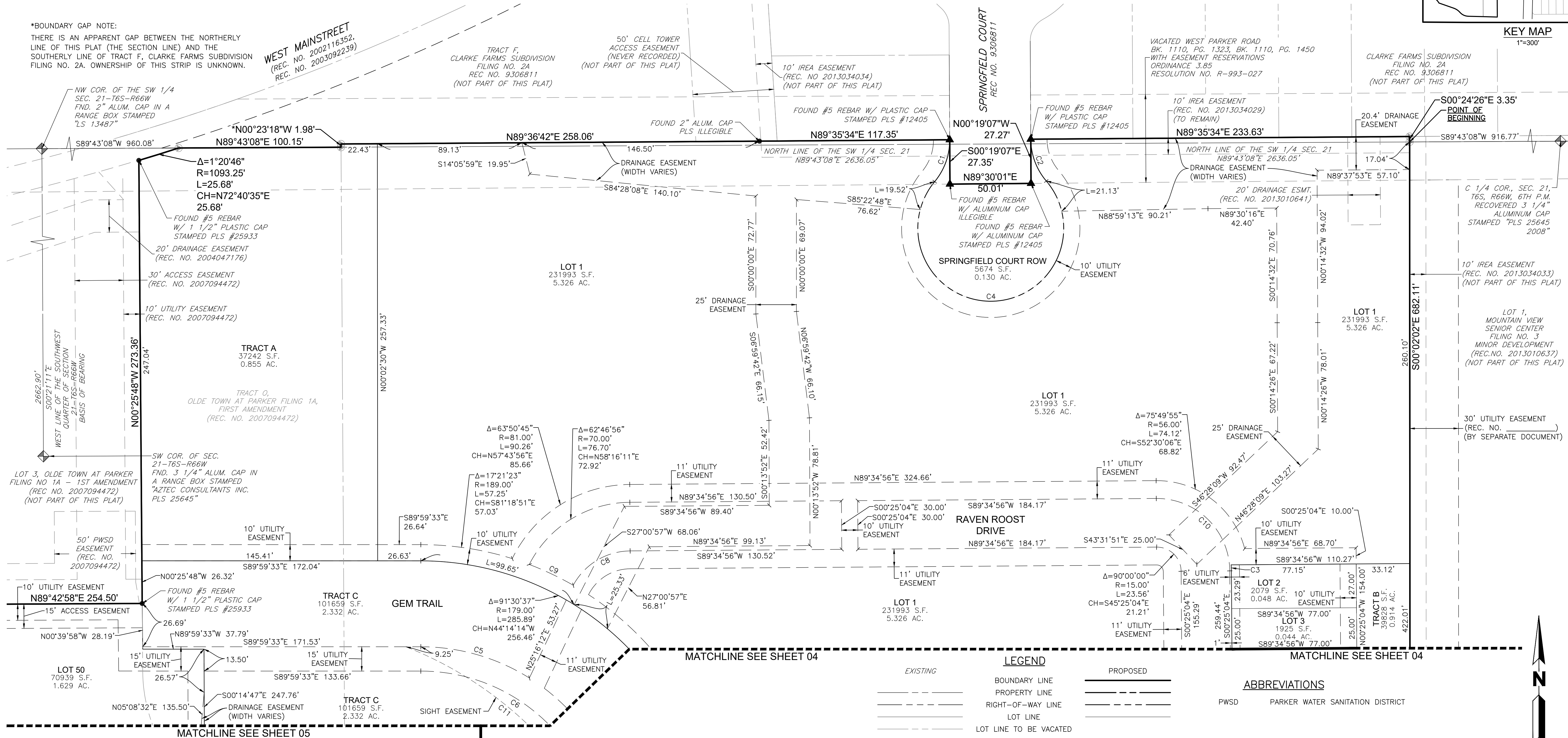


SKETCH/PRELIMINARY PLAN  
OLDE TOWN AT PARKER FILING 2  
A PARCEL OF LAND AND A REPLAT OF TRACT O OF OLDE TOWN AT PARKER FILING  
1A, FIRST AMENDMENT AND LOTS 4B AND 4D OF OLDE TOWN AT PARKER FILING 1A,  
SECOND AMENDMENT BEING A PORTION OF THE WEST HALF OF SECTION 21  
TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE PRINCIPAL MERIDIAN,  
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO  
51 LOTS, 4 TRACTS - 15.369 ACRES  
SHEET 03 OF 08 SHEETS



\*BOUNDARY GAP NOTE:

THERE IS AN APPARENT GAP BETWEEN THE NORTHERLY  
LINE OF THIS PLAT (THE SECTION LINE) AND THE  
SOUTHERLY LINE OF TRACT F, CLARKE FARMS SUBDIVISION  
FILING NO. 2A. OWNERSHIP OF THIS STRIP IS UNKNOWN.



| LEGEND                                                         |                                                                |
|----------------------------------------------------------------|----------------------------------------------------------------|
| EXISTING                                                       | PROPOSED                                                       |
| BOUNDARY LINE                                                  | BOUNDARY LINE                                                  |
| PROPERTY LINE                                                  | PROPERTY LINE                                                  |
| RIGHT-OF-WAY LINE                                              | RIGHT-OF-WAY LINE                                              |
| LOT LINE                                                       | LOT LINE                                                       |
| LOT LINE TO BE VACATED                                         | LOT LINE TO BE VACATED                                         |
| TRACT LINE                                                     | TRACT LINE                                                     |
| SECTION LINE                                                   | SECTION LINE                                                   |
| SIGHT DISTANCE LINE                                            | SIGHT DISTANCE LINE                                            |
| EASEMENT                                                       | EASEMENT                                                       |
| TIE                                                            | TIE                                                            |
| DRIVE                                                          | DRIVE                                                          |
| FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 36580" | FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 36580" |
| FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 38510" | FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 38510" |
| FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 25543" | FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 25543" |
| SET #4 REBAR W/ CAP<br>PLS #23899                              | SET #4 REBAR W/ CAP<br>PLS #23899                              |
| EXISTING PIN                                                   | EXISTING PIN                                                   |
| FOUND MONUMENT AS LABELED                                      | FOUND MONUMENT AS LABELED                                      |

| ABBREVIATIONS |                                  |
|---------------|----------------------------------|
| PWSD          | PARKER WATER SANITATION DISTRICT |

| CURVE TABLE |             |         |            |                 |              |
|-------------|-------------|---------|------------|-----------------|--------------|
| NUMBER      | DELTA ANGLE | RADIUS  | ARC LENGTH | CHORD DIRECTION | CHORD LENGTH |
| C1          | 40°05'11"   | 40.01'  | 27.99'     | S19°44'16"W     | 27.42'       |
| C2          | 40°15'27"   | 39.92'  | 28.05'     | N20°20'39"W     | 27.48'       |
| C3          | 4°37'20"    | 46.00'  | 3.71'      | S02°43'44"E     | 3.71'        |
| C4          | 260°14'19"  | 45.00'  | 204.39'    | N89°39'49"E     | 68.82'       |
| C5          | 32°05'58"   | 126.00' | 70.59'     | S73°56'34"E     | 69.67'       |
| C6          | 91°30'37"   | 111.00' | 177.28'    | S44°14'14"E     | 159.03'      |
| C8          | 61°39'29"   | 40.00'  | 43.05'     | S58°51'26"W     | 41.00'       |
| C9          | 9°23'43"    | 183.27' | 30.05'     | N64°39'12"W     | 30.02'       |
| C10         | 90°00'00"   | 45.00'  | 70.69'     | N45°25'04"W     | 63.64'       |
| C11         | 49°32'57"   | 232.72' | 201.26'    | N43°45'06"W     | 195.05'      |

OWNER/DEVELOPER  
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SENDEROS CREEK COMMERCIAL, LLC  
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DENVER, CO 80237

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12499 WEST COLFAX AVENUE  
LAKEWOOD, CO 80215

JUNE 05, 2020  
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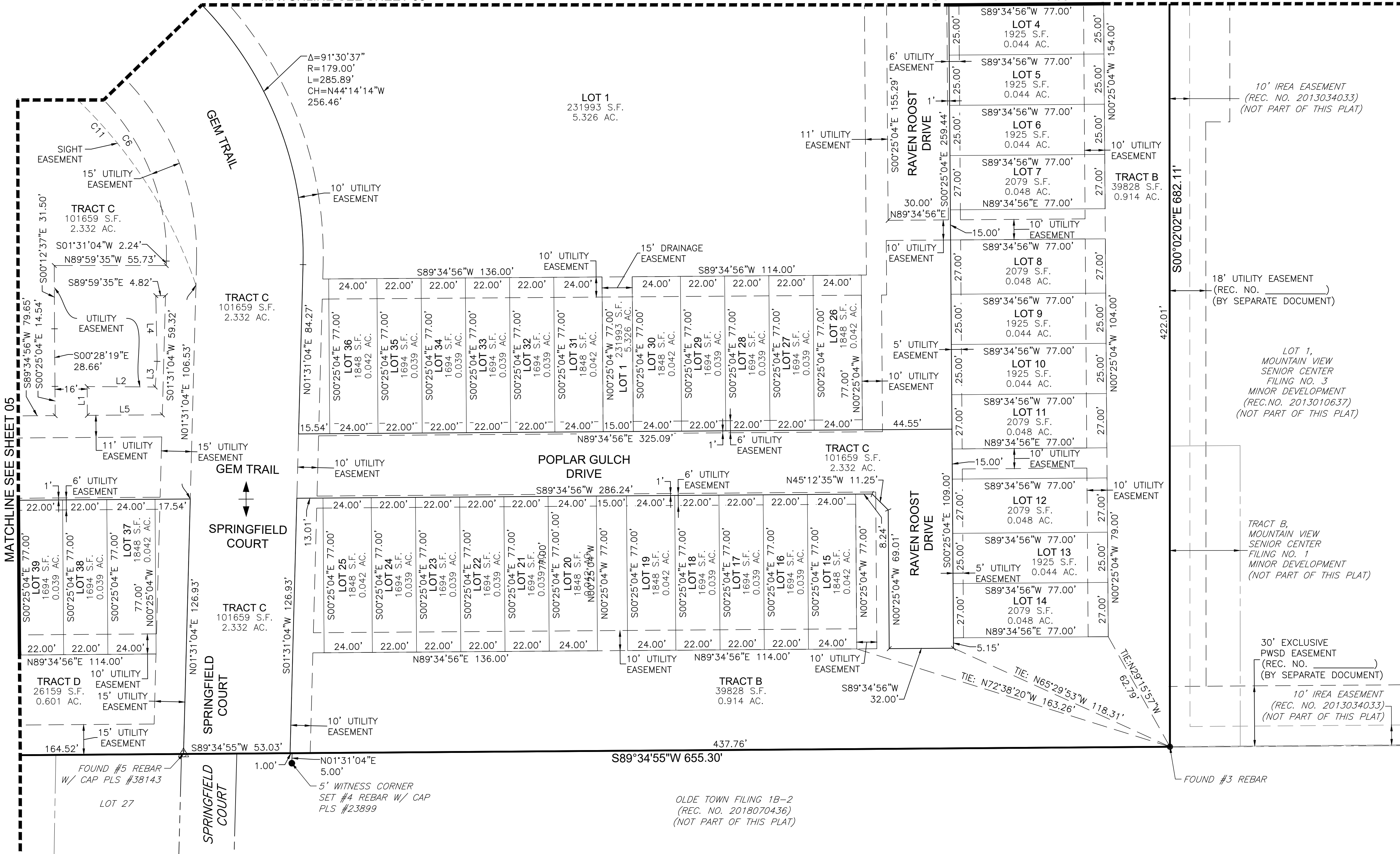
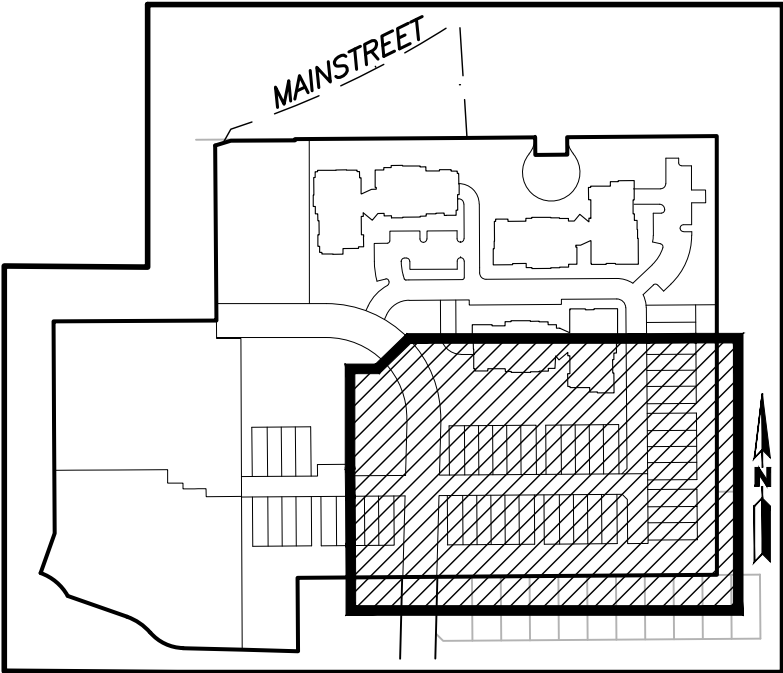
SHEET 03 OF 08

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303.431.6100 MARTIN@MARTINMARTIN.COM  
SURVEY@MARTINMARTIN.COM

Location: G:\LOVATO\17.1060-Senderos Creek MF\PLANS\SKETCH PLAN\SKETCH PLAN.dwg  
Job Number: 17.1060  
Sheet Number: 03 OF 08  
Drawn By: MAM  
Surveyed By: MAM  
Plot Date: 6/15/2020



# SKETCH/PRELIMINARY PLAN OLDE TOWN AT PARKER FILING 2



|                 |                                                               |                 |
|-----------------|---------------------------------------------------------------|-----------------|
| <i>EXISTING</i> |                                                               | <i>PROPOSED</i> |
| _____           | BOUNDARY LINE                                                 | _____           |
| _____           | PROPERTY LINE                                                 | _____           |
| _____           | RIGHT-OF-WAY LINE                                             | _____           |
| _____           | LOT LINE                                                      | _____           |
| _____           | LOT LINE TO BE VACATED                                        | _____           |
| _____           | TRACT LINE                                                    | _____           |
| _____           | SECTION LINE                                                  | _____           |
| _____           | SIGHT DISTANCE LINE                                           | _____           |
| _____           | EASEMENT                                                      | _____           |
| _____           | TIE                                                           | _____           |
| <i>DRIVE</i>    | DESCRIPTIONS                                                  | <i>DRIVE</i>    |
| △               | FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 36580 |                 |
| ○               | FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 38510 |                 |
| △               | FOUND NO. 5 REBAR<br>1-1/2" PLASTIC CAP<br>STAMPED "PLS 25543 |                 |
| ▶               | SET #4 REBAR W/ CAP<br>PLS #23899                             |                 |
| ●               | EXISTING PIN                                                  |                 |
| ▲               | FOUND MONUMENT AS LABELED                                     |                 |

## ABBREVIATIONS

PWSO PARKER WATER SANITATION DISTRICT

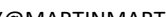
| NUMBER | DIRECTION   | LENGTH |
|--------|-------------|--------|
| L1     | N00°25'04"W | 14.33' |
| L2     | S89°40'17"E | 33.88' |
| L3     | N04°12'05"E | 12.79' |
| L4     | N01°08'57"W | 32.69' |
| L5     | S89°34'56"W | 37.31' |

| CURVE TABLE |             |         |            |                 |              |
|-------------|-------------|---------|------------|-----------------|--------------|
| NUMBER      | DELTA ANGLE | RADIUS  | ARC LENGTH | CHORD DIRECTION | CHORD LENGTH |
| C6          | 91°30'37"   | 111.00' | 177.28'    | S44°14'14"E     | 159.03'      |
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LAKEWOOD, CO 80215

SHEET 04 OF 08

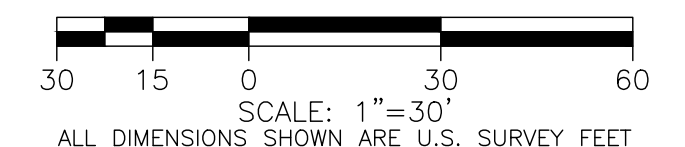


**MARTIN/MARTIN**  
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303.431.6100 MARTINMARTIN.COM  
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A PARCEL OF LAND AND A REPLAT OF TRACT O OF OLDE TOWN AT PARKER FILING  
1A, FIRST AMENDMENT AND LOTS 4B AND 4D OF OLDE TOWN AT PARKER FILING 1A,  
SECOND AMENDMENT BEING A PORTION OF THE WEST HALF OF SECTION 21  
TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE PRINCIPAL MERIDIAN,  
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO  
51 LOTS, 4 TRACTS - 15.369 ACRES  
SHEET 05 OF 08 SHEETS



SHEET 05 OF 08

OWNER/DEVELOPER  
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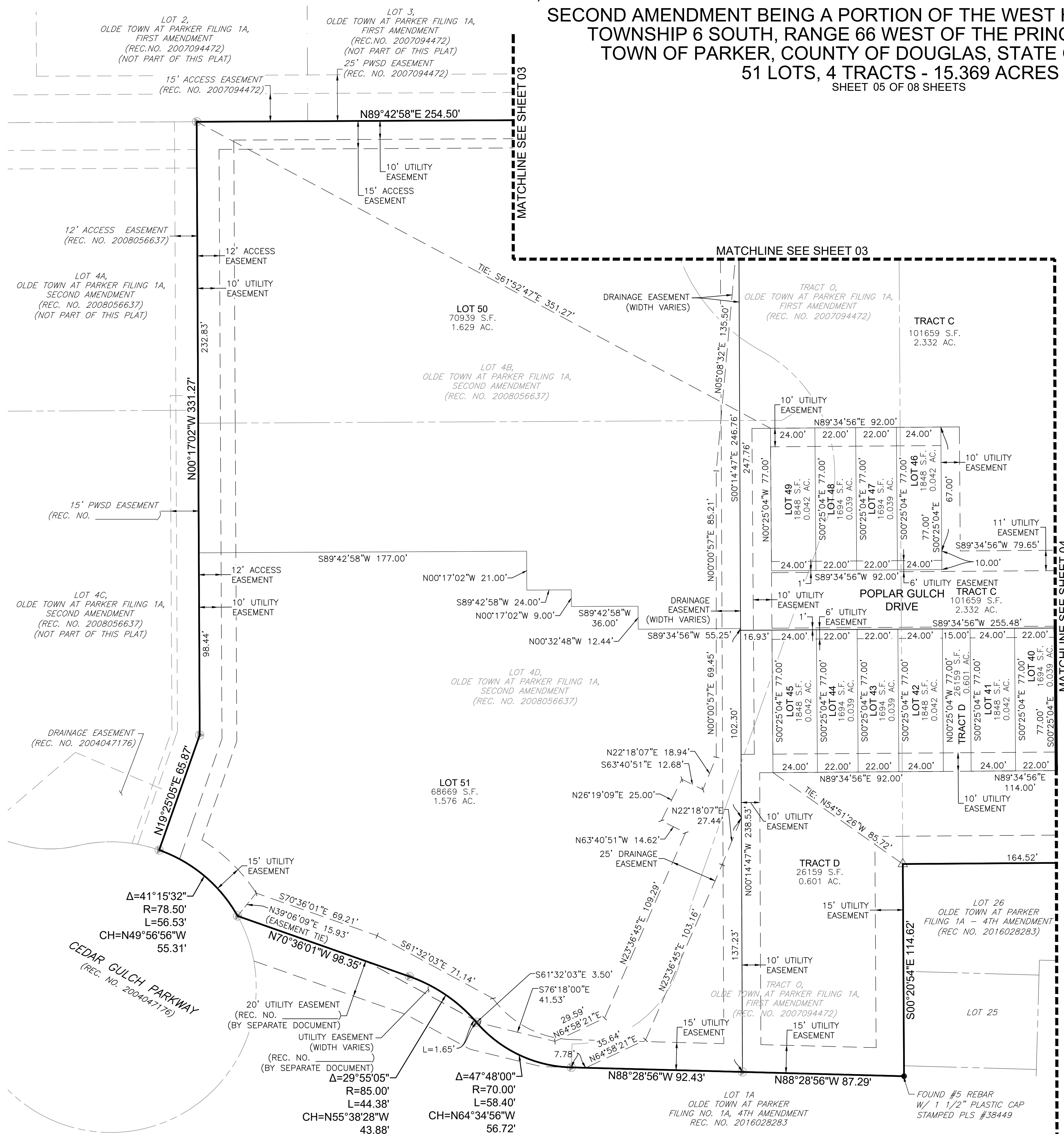


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SURVEY@MARTINMARTIN.COM

|                  |                                                                       |
|------------------|-----------------------------------------------------------------------|
| Project Manager: | Location:                                                             |
| DAK              | G:\LAVATO\17.1060-Senders Creek MFL\PLANS\SKETCH PLAN\SKETCH PLAN.dwg |
| Surveyed By:     | Drawn By:                                                             |
| RAN              | MAN                                                                   |
|                  | Job Number: 17.1060                                                   |
|                  | Sheet Number: ## of 8                                                 |

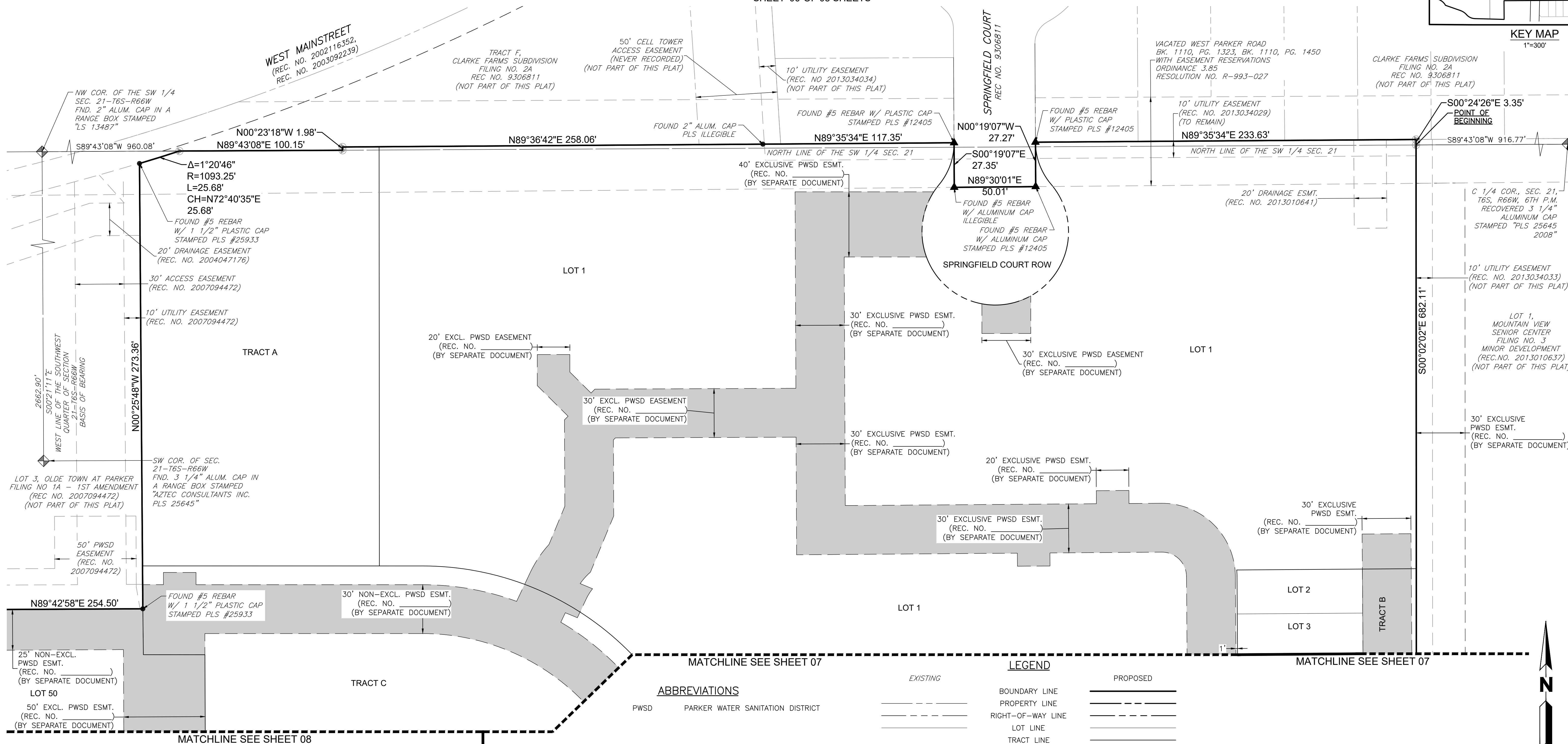
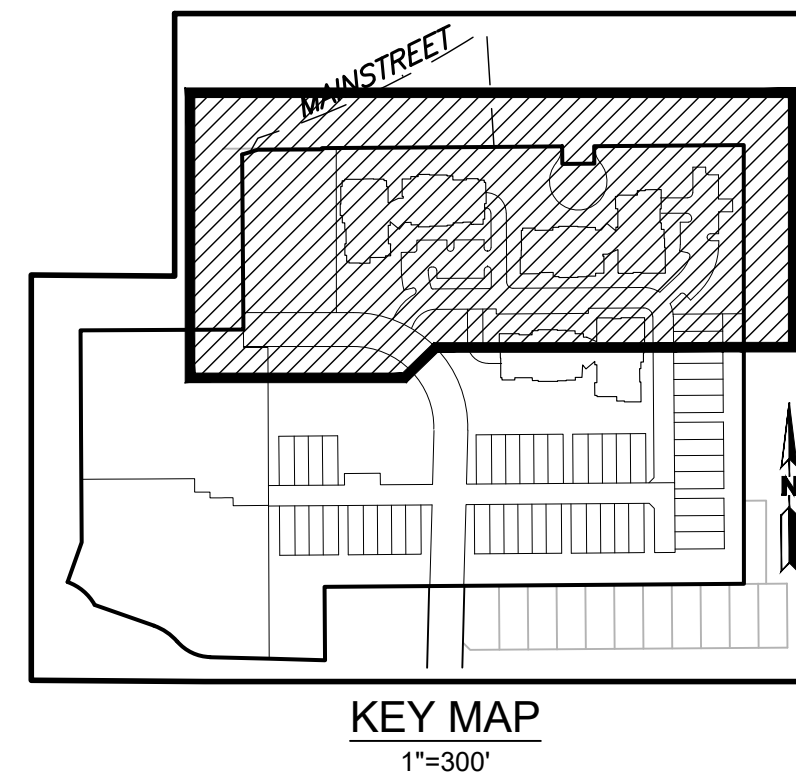
Plot Date: 6/15/2020





# SKETCH/PRELIMINARY PLAN OLDE TOWN AT PARKER FILING 2

A PARCEL OF LAND AND A REPLAT OF TRACT O OF OLDE TOWN AT PARKER FILING 1A, FIRST AMENDMENT AND LOTS 4B AND 4D OF OLDE TOWN AT PARKER FILING 1A, SECOND AMENDMENT BEING A PORTION OF THE WEST HALF OF SECTION 21 TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE PRINCIPAL MERIDIAN, TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO  
51 LOTS, 4 TRACTS - 15.369 ACRES  
SHEET 06 OF 08 SHEETS



MATCHLINE SEE SHEET 07

## ABBREVIATIONS

PWSD PARKER WATER SANITATION DISTRICT

## LEGEND

EXISTING

PROPOSED

|                                                          |     |
|----------------------------------------------------------|-----|
| BOUNDARY LINE                                            | --- |
| PROPERTY LINE                                            | --- |
| RIGHT-OF-WAY LINE                                        | --- |
| LOT LINE                                                 | --- |
| TRACT LINE                                               | --- |
| SECTION LINE                                             | --- |
| SIGHT DISTANCE LINE                                      | --- |
| EASEMENT                                                 | --- |
| TIE                                                      | --- |
| DRIVE                                                    | --- |
| FOUND NO. 5 REBAR 1-1/2" PLASTIC CAP STAMPED "PLS 36580" | --- |
| FOUND NO. 5 REBAR 1-1/2" PLASTIC CAP STAMPED "PLS 38510" | --- |
| FOUND NO. 5 REBAR 1-1/2" PLASTIC CAP STAMPED "PLS 25543" | --- |
| SET #4 REBAR W/ CAP PLS #23899                           | --- |
| EXISTING PIN                                             | --- |
| FOUND MONUMENT AS LABELED                                | --- |

30 15 0 30 60  
SCALE: 1"=30'  
ALL DIMENSIONS SHOWN ARE U.S. SURVEY FEET



JUNE 05, 2020  
MAY 01, 2020  
FEBRUARY 25, 2020  
NOVEMBER 11, 2019  
APRIL 18, 2019

SHEET 06 OF 08

OWNER/DEVELOPER  
SENDEROS CREEK CONDOS, LLC  
SENDEROS CREEK COMMERCIAL, LLC  
4600 SOUTH SYRACUSE STREET, SUITE 900  
DENVER, CO 80237  
CIVIL ENGINEER/SURVEYOR  
MARTIN/MARTIN CONSULTING ENGINEERS, INC.  
12499 WEST COLFAX AVENUE  
LAKEWOOD, CO 80215

MARTIN/MARTIN  
CONSULTING ENGINEERS  
12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215  
303.431.6100 MARTINMARTIN.COM  
SURVEY@MARTINMARTIN.COM

Location: G:\LOVATO\17.1060-Senderos Creek MF\PLANS\SKETCH PLAN\EASEMENT DEDICATION.dwg  
Job Number: 17.1060  
Drawn By: MAM  
Surveyed By: RAN  
Project Manager: DAK  
Plot Date: 6/15/2020  
Sheet Number: 06 OF 08



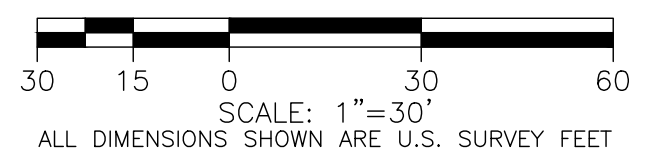
A PARCEL OF LAND AND A REPLAT OF TRACT O OF OLDE TOWN AT PARKER FILING  
1A, FIRST AMENDMENT AND LOTS 4B AND 4D OF OLDE TOWN AT PARKER FILING 1A,  
SECOND AMENDMENT BEING A PORTION OF THE WEST HALF OF SECTION 21  
TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE PRINCIPAL MERIDIAN,  
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO  
51 LOTS, 4 TRACTS - 15.369 ACRES  
SHEET 07 OF 08 SHEETS

SHEET 07 OF 08 SHEETS



## ABBREVIATIONS

PWSD PARKER WATER SANITATION DISTRICT



JUNE 05, 2020  
MAY 01, 2020  
FEBRUARY 25, 2020  
NOVEMBER 11, 2019  
APRIL 18, 2019

SHEET 07 OF 08<sup>N</sup>

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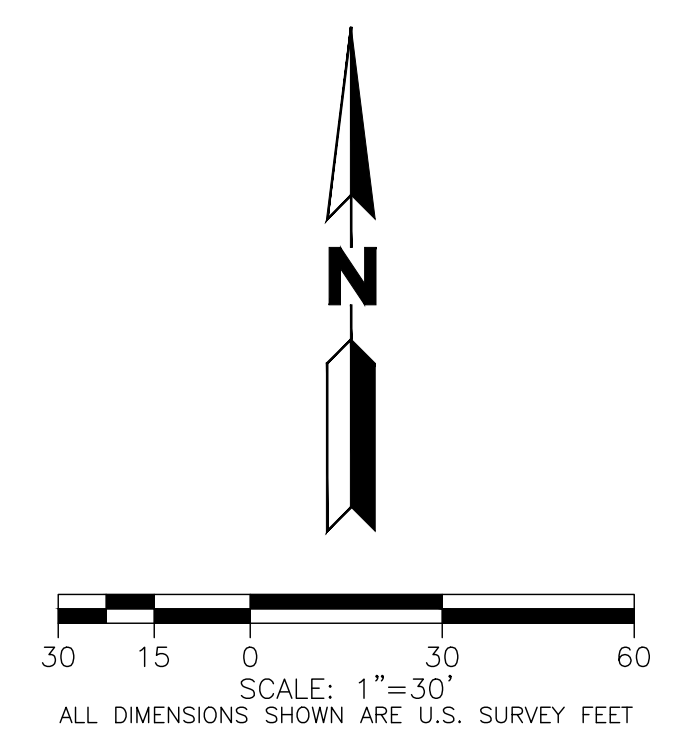
Project Manager: \_\_\_\_\_  
 DAK \_\_\_\_\_  
 Location: \_\_\_\_\_  
 G:\LOVATO\17.1060-Senders Creek INF\PLANS\SKETCH PLAN\EASEMENT DEDICATION.dwg

Surveyed By: \_\_\_\_\_  
 RAN \_\_\_\_\_  
 Drawn By: \_\_\_\_\_  
 MAW \_\_\_\_\_  
 Job Number: 17.1060  
 Sheet Number: ## OF 8

Plot Date: 6/15/2020



A PARCEL OF LAND AND A REPLAT OF TRACT O OF OLDE TOWN AT PARKER FILING  
1A, FIRST AMENDMENT AND LOTS 4B AND 4D OF OLDE TOWN AT PARKER FILING 1A,  
SECOND AMENDMENT BEING A PORTION OF THE WEST HALF OF SECTION 21  
TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE PRINCIPAL MERIDIAN,  
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO  
51 LOTS, 4 TRACTS - 15.369 ACRES  
SHEET 08 OF 08 SHEETS



JUNE 05, 2020  
MAY 01, 2020  
FEBRUARY 25, 2020  
NOVEMBER 11, 2019  
SHEET 08 OF 08 APRIL 18, 2019

OWNER/DEVELOPER  
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SENDEROS CREEK COMMERCIAL, LLC  
4600 SOUTH SYRACUSE STREET, SUITE 900  
DENVER, CO 80237

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 **MARTIN/MARTIN**  
CONSULTING ENGINEERS

12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215  
303.431.6100 MARTINMARTIN.COM  
SURVEY@MARTINMARTIN.COM

Project Manager: \_\_\_\_\_  
Dak \_\_\_\_\_

Location: \_\_\_\_\_  
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Surveyed By: \_\_\_\_\_  
RAN \_\_\_\_\_

Drawn By: \_\_\_\_\_  
MAW \_\_\_\_\_

Job Number: \_\_\_\_\_  
17.1060 \_\_\_\_\_

Sheet Number: \_\_\_\_\_  
## of ## 01 of 8 \_\_\_\_\_

Plot Date: 6/15/2020





## Request for Town Council Action

**Date:** August 3, 2020

**Submitted By:** Jim Maloney, Town Attorney

**Reviewed By:** Michelle Kivela, Town Administrator

**Title:** **ORDINANCE NO. 9.320 - Second Reading**  
**A Bill for an Ordinance to Approve the Intergovernmental Agreement By and Between the Board of County Commissioners of Douglas County, the Town of Castle Rock, the Town of Parker, the City of Lone Tree, the City of Castle Pines, and the Town of Larkspur Concerning Local Governmental Distribution Under the CARES Act**

**Department:** Town Attorney, Jim Maloney

### EXECUTIVE SUMMARY

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The purpose of this intergovernmental agreement (the “IGA”) is to allocate up to \$2,876,671 to the Town of Parker, for expenses that are eligible under the Coronavirus Aid, Relief, and Economic Security Act (the “CARES Act”).

### STAFF RECOMMENDATION

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Approve

### BACKGROUND/DISCUSSION

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On March 27, 2020, Congress adopted the CARES Act, which established a \$150-billion Coronavirus Relief Fund, a portion of which was allocated to the state of Colorado. The Governor issued an executive order allocating \$270 million for local governments that did not receive a direct distribution of funds under the CARES Act, including Douglas County, Parker, Lone Tree, Castle Pines, Castle Rock and Larkspur (the “Parties”). The purpose of the IGA is to establish the structure for reimbursement of the eligible expenses incurred by the Parties in compliance with the CARES Act (and described in Exhibit A to the IGA) and summarized as follows:

“a. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);

“b. were not accounted for in the budget most recently approved as of March 27, 2020, for the

Local Government; and

“c. were incurred during the period that begins March 1, 2020, and ends on December 30, 2020 (collectively, “Eligible Expenses”).”

Under the IGA, Parker is allocated up to \$2,876,671.

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#### **FINANCIAL IMPACT**

The Town will be reimbursed for eligible expenses incurred by the Town as defined by the CARES Act, as provided by the IGA.

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#### **STRATEGIC GOAL(S)**



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#### **ATTACHMENTS**

1. Ordinance No. 9.320

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#### **RECOMMENDED MOTION**

I move to approve Ordinance No. 9.230 on second reading.

ORDINANCE NO. 9.320, Series of 2020

**TITLE: A BILL FOR AN ORDINANCE TO APPROVE THE INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, THE TOWN OF CASTLE ROCK, THE TOWN OF PARKER, THE CITY OF LONE TREE, THE CITY OF CASTLE PINES, AND THE TOWN OF LARKSPUR CONCERNING LOCAL GOVERNMENTAL DISTRIBUTION UNDER THE CARES ACT**

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 Intergovernmental Agreement by and between the Board of County Commissioners of Douglas County, the Town of Castle Rock, the Town of Parker, the City of Lone Tree, the City of Castle Pines and the Town of Larkspur concerning Local Governmental Distribution under the CARES Act, 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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
James S. Maloney, Town Attorney

## EXHIBIT 1

### **INTERGOVERNMENTAL AGREEMENT CARES ACT LOCAL GOVERNMENT DISTRIBUTIONS**

This Intergovernmental Agreement, CARES Act Local Government Distributions (“Agreement”), is made and effective on \_\_\_\_\_, 2020, by and between the **BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY**, Colorado, (referred to as “County”), and the Town of Castle Rock, The Town of Parker, The City of Lone Tree, the City of Castle Pines, and The Town of Larkspur, Colorado (individually referred to as “Municipality” or collectively as “Municipalities”). The County and Municipalities shall be referred herein as the “Parties.”

#### **RECITALS**

A. On March 19, 2020, pursuant to C.R.S. § 24-33.5-709, the Chairman of the Board of County Commissioners declared a local disaster emergency because the cost and magnitude of responding to and recovering from the impact of the pandemic is expected to exceed Douglas County’s available resources; and

B. The effect of a declaration of local disaster emergency is to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster and emergency plans and to authorize the furnishing of aid and assistance under such plans, as set forth in C.R.S. § 24-33.5-709(2); and

C. On March 27, 2020, the United States Congress adopted the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (the “CARES Act”), which established a \$150 billion Coronavirus Relief Fund (the “Fund”); and

D. Pursuant to the CARES Act, the Governor of the State of Colorado issued Executive Order D 2020 070 which provided that “Two hundred seventy-five million dollars (\$275,000,000) for FY 2019-2020 and FY 2020-2021 in the CARES Act Fund shall remain available for units of local government that did not receive a direct distribution of funds in the CARES Act for expenses to facilitate compliance with COVID-19 related public health measures.” Executive Order D 2020 070 Directive II.A.10.

E. The State of Colorado designated the Department of Local Affairs (“DOLA”) as the fiscal agent to administer the CARES Act reimbursement program following eligibility verification performed by DOLA for the expenses.

F. On June 23, 2020, the County requested that the State of Colorado allocate the County’s share of the CARES Act reimbursements totaling \$30,124,485 (“Reimbursement Funds”) to Douglas County on behalf of the County and Municipalities via the Collaboration Agreement Regarding the Distribution of CARES Act Funds to County and Municipalities.

G. Pursuant to Section 18(2) of Article XIV of the Colorado Constitution and C.R.S. 29-1-203, as amended, the Municipalities and the County have the authority to enter into intergovernmental agreements and authorizes governments to cooperate by contracting with one another for their mutual benefit; and

H. The Parties hereby desire to enter into this Agreement for the purposes of providing the structure for reimbursement of the Municipalities' a portion of the CARES Act Reimbursement Funds.

## **AGREEMENT**

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants and promises herein contained, the Parties agree as follows:

1. Term. This Agreement begins on the date of full execution by the Parties to this Agreement and shall expire on June 30, 2021. The Parties, however, acknowledge all continuing performance obligations, such as identified in Section 9, 10, and 12 below, that may extend beyond the term of this Agreement. Municipality agrees to execute an extension of this Agreement timely and in good faith as may be necessitated. The County reserves the right to terminate this Agreement at any time if the Municipality is not in material compliance with the terms hereof.

2. Reimbursement Funds Allocation Formula. The County has requested its share of the Reimbursement Funds from the Colorado Department of Local Affairs pursuant to the CARES Act. The parties agree to apportioning the \$30,124,485 allocated for Douglas County set forth herein.

| DOUGLAS COUNTY CARES ACT DISTRIBUTION FORMULA    |                |                    |         |
|--------------------------------------------------|----------------|--------------------|---------|
| Total Amount Allocated by DOLA to Douglas County |                |                    |         |
| Less 20% for contact tracing and testing         |                |                    |         |
| Remaining amount split 25%/75%                   |                |                    |         |
| 25% for County-wide services                     | 75%            |                    |         |
|                                                  | 34% per capita | 33% assessed value | 33% FTE |

3. The Municipalities' and County's Share of the Reimbursement Funds. The County and Municipalities hereby agree that the Municipalities' and County's share of the Reimbursement Funds shall be as follows (the Municipalities' and County's "Distribution Amount"):



| TESTING AND CONTACT TRACING              |
|------------------------------------------|
| 20 % of Douglas County CARES Act Funding |
| \$6,024,897                              |

| DISTRIBUTION OF DOUGLAS COUNTY<br>CARES ACT FUNDING |              |
|-----------------------------------------------------|--------------|
| ENTITY                                              | AMOUNT       |
| Castle Rock                                         | \$3,486,031  |
| Parker                                              | \$2,876,671  |
| Lone Tree                                           | \$1,231,675  |
| Castle Pines                                        | \$380,359    |
| Larkspur                                            | \$36,608     |
| Douglas County                                      | \$10,063,347 |
| County-wide services                                | \$6,024,897  |
| Total                                               | \$30,124,485 |

4. Eligible Expenses. By signing this Agreement, the parties hereby certify that the CARES Act Reimbursement Funds shall only be used to cover those costs and expenses that are eligible expenses in compliance with the CARES Act that are as follows, further described in Exhibit A attached hereto and incorporated herein:

- a. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- b. were not accounted for in the budget most recently approved as of March 27, 2020, for the Municipality; and
- c. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020 (collectively, "Eligible Expenses").

5. Reimbursement Contingent Upon the Availability of CARES Act Funds. Reimbursement is subject to and contingent upon the continuing availability of the CARES Act Funds. The parties hereto expressly recognize that the Eligible Expenses that are submitted to the County for reimbursement is contingent upon CARES Act funding distributed through DOLA. In the event that such funds or any part thereof are not received from DOLA, the County may immediately terminate this Agreement without liability, including liability for termination costs.

6. No Duplication of Funds Reimbursement. The Parties acknowledge and agree that the expenses submitted will only be submitted for CARES Act funding and will not be submitted for reimbursement or as expenses under any other federal government program, including but not limited to, FEMA or another aid program, regardless of its source.

7. Municipality Request for Reimbursement. The Municipality may make a request for reimbursement of its expenditures of Eligible Expenses to the County. The Municipality's total requests for reimbursement of Eligible Expenses shall not exceed the Distribution Amount, *unless* a request is submitted, in writing to all Parties and is subsequently mutually agreed upon by the Parties' city/county/town managers based on demonstration of need for reimbursement of Eligible Expenses. The parties shall have five (5) business days to provide written comments. Based on the comments and/or mutual agreement, the County shall provide a written response to the request within a reasonable time. Prior to making an expenditure reimbursement request, the Municipality may consult with the County to inquire whether certain costs and expenditures may be in compliance with the CARES Act.

8. Form of Requests. The request for reimbursement shall be submitted using the form provided by the County attached hereto and incorporated herein as Exhibit B. Each request shall be accompanied with the following documentation before consideration:

a. A description of the expenditure, the date of expenditure, amount of expenditure, vendor name and address, and a detailed explanation of how the expense was incurred in connection to COVID-19, and a certification from the City or Town Manager and or the Director of Finance that the requested reimbursements are for Eligible Expenses as defined in Section 4 of this Agreement.

b. Any additional supporting information requested by the County or DOLA including but not limited to contracts, invoices, vouchers, receipts, payroll and time records, and any other supporting documentation needed to verify that the requested reimbursement is an Eligible Expense.

c. The Municipality shall provide ACH or wire transfer instructions for distribution from the County of reimbursement of Eligible Expenses.

9. Reporting.

a. DOLA. All Reimbursement Requests for Eligible Expenses submitted by the County on behalf of the County or Municipalities per this Agreement will be accompanied by the Request for Reimbursement ("RFR") provided by DOLA with supporting documents and proof of payment. Per this Agreement, the Municipalities agree to provide any additional information requested by the County to complete the DOLA RFR form.

b. None of the reporting requirements herein are intended to shift the responsibility of the Municipalities for ensuring that each dollar of the Municipalities Distribution

Amount is spent in compliance with the CARES Act. The County assumes no responsibility for management of the Municipalities' spending and requires the reporting outlined in this IGA to ensure the County has sufficient documentation in the event of an OSC audit. In the event the OSC determines that any of the Parties spend any amount of its CARES Act allocation on ineligible expenses, the Parties acknowledge and agree that they are each solely responsible for any repayment of those funds to DOLA or the County if the Municipality has received reimbursement through the County for an ineligible expense.

- c. County Audit. The Municipalities also agree to fully and completely cooperate with the County in any audit of the CARES Act funding provided to the Municipalities pursuant to this Agreement. Any Party determined to have reported or received reimbursement for non-Eligible Expenses shall bear the costs of any expenses incurred as a result of non-compliance of this Agreement including but not limited to the County's audit expenses and legal fees.
- d. County Review of Reimbursement Requests. The County shall review Municipalities' reimbursement requests. The County shall only submit to DOLA reimbursement requests that provide adequate documentation, and only for what are Eligible Expenses. If there is a dispute, the County will seek to resolve the dispute by working with the Municipality to bring the request into compliance with the requirements of the CARES Act and if necessary, seek written guidance from DOLA, a copy of which will be shared with the Municipality. The County will follow the guidance and/or decision of DOLA as to whether the request is an eligible expense.

As such, any acceptance by the County of the Municipalities' request to reimburse and subsequent payment shall not be construed to operate as a waiver of the Municipalities' obligation to comply with the CARES Act, this Agreement, and any other laws, regulations or rules and shall not operate as a waiver or estoppel of the Municipalities' obligation to return/repay any Funds distributed to the Municipality that are subsequently found to not have been used or reimbursed for Eligible Expenses or the use of which was found to otherwise be unlawful.

- e. On-going Compliance. The CARES Act is recent legislation; therefore, the Parties anticipate that additional federal legislation, rules, and regulations may be promulgated regarding the expenditure and accounting requirements. The Parties agree to familiarize themselves with, and shall adhere to, all current and subsequent legislation, rules, and regulations.

- 10. Accounting. The Parties shall:

- a. Maintain an effective system of internal fiscal control and accountability for all CARES Act Funds and property acquired or improved with CARES Act Funds, and make sure the same are used solely for authorized purposes.
- b. Keep a continuing record of all disbursements by date, check number, amount, vendor, description of items purchased and line item from which the money was expended, as reflected in the Parties' accounting records.
- c. Maintain payroll, financial, and expense reimbursement records for a period of five (5) years after receipt of final payment under this Agreement or any time period required by the CARES Act, whichever is longer.
- d. Permit inspection and audit of its records with respect to all matters authorized by this Agreement by representatives of the County or Colorado State Government at any time during normal business hours as arranged in a timely manner.

11. Third Party Expenditures. If any Party distributes CARES Act Funds to a separate entity, enterprise, agency or any other public, private, or non-profit entity (Third-party), such Party agrees to require the Third-party to meet all the provisions of this Agreement.

12. Office of the State Controller Audit. In the event that monthly reporting is needed for an audit by the Office of the Colorado State Controller regarding the use of CARES Act Funds, the Municipalities shall provide such reporting to the County regarding the use of the Municipalities' Distribution Amount. The regular reporting shall include but is not limited to the following:

- a. On or before the 20<sup>th</sup> of each month, beginning in the month the IGA is approved by the Parties, the Municipalities will update the expense tracking form and email to County Finance all related receipts, payroll records, or other documentation; and
- b. On or before January 30, 2021, the Parties will review its records to ensure the County has a complete record of all expenditures from the Distribution Amount, including, but not limited to, all documents requested per Section 8. of this Agreement.
- c. If the state government imposes additional documentation requirements on the County, the Municipalities agree to timely provide all information and documentation necessary for the County's compliance with such requirements as related to the Municipalities Distribution Amount.

13. Non-Compliance. In the event the Municipality fails to comply with any of the requirements of the CARES Act with respect to the Distribution Amount, the state government may seek reimbursement of such funds. If the state government seeks reimbursement of all or a portion of the Distribution Amount spent by the Municipality, such Municipality shall be solely responsible for reimbursing said funds to the state government. In addition, in the event the state government seeks reimbursement of funds spent by the Municipality as contemplated in this Section from the County, the County shall seek reimbursement from the Municipality.

14. Disputes/Release. The Municipalities understand that the County is obligated to expend our allocation of Coronavirus Relief Funds no later than December 30, 2020, and that any unexpended Funds as of that date must be returned to DOLA. Due to the limited time to administer the Coronavirus Relief Funds, the Parties agree that there is no time to file an action to compel any alleged reimbursement requirement or other relief. The Parties acknowledge that the County's decisions concerning reimbursement of any submittal or re-submittal cannot be challenged in court or otherwise except as outlined in Section 9 (d). The Municipalities hereby waive, relinquish and forever release any and all claims or actions for damages, injunctive relief, and any other relief of any kind whatsoever, that it has or may have now or in the future, against Douglas County, its Board of County Commissioners, elected and appointed officials, employees and agents, to obtain advancement or reimbursement of Funds and/or expenses related to COVID-19, or to obtain damages for the County's failure to advance or pay Funds and/or expenses related to COVID-19, or to seek any other relief that is inconsistent with this sub-section of the Agreement.

15. Publicity. The Parties agree to acknowledge the Douglas County CARES Act funding as a contributor to any project or program that is funded with Coronavirus Relief Funds pursuant to this Agreement in all publications, news releases, and other publicity issued by the Municipalities and agree to allow the County to do the same. The Parties agree to work together on joint communication strategies, through established channels, related to expenditures of the CARES Act funds.

16. Hold Harmless. To the extent permitted by law, Municipality agrees that in the event the Municipality (or anyone acting on its behalf) fails to perform the terms of the Agreement or fails to use the Municipality's Distribution Amount in compliance with applicable law, the Municipality agrees to hold the County harmless for the amount of any reimbursement that is owed by the Municipality. The Municipality also agrees to be responsible for any actions, claims, lawsuits, damages, charges or judgments whatsoever that are caused by the Municipality's performance or nonperformance under this Agreement.

17. Informational Obligations. Each Party hereto will meet its obligations as set forth in C.R.S. 29-1-205, as amended, to include information about this Agreement in a filing with the Division of Local Government; however, failure to do so shall in no way affect the validity of this Agreement or the remedies available to the Parties hereunder.

18. Miscellaneous Provisions.

a. Notice.

Notices concerning termination of this Agreement, notices of alleged or actual violations of the terms or provisions of this Agreement, and all other notices shall be made as follows: Notice to the Municipalities shall be delivered to:

[Seth.hoffman@cityoflonetree.com](mailto:Seth.hoffman@cityoflonetree.com)  
[Dcorliss@crgov.com](mailto:Dcorliss@crgov.com)  
[Mkivela@parkeronline.org](mailto:Mkivela@parkeronline.org)

[Michael.penny@castlepinesco.gov](mailto:Michael.penny@castlepinesco.gov)  
[mcardenas@townoflarkspur.org](mailto:mcardenas@townoflarkspur.org)

Notice to the County shall be delivered to:

Douglas County Manager  
100 Third Street  
Douglas County, Colorado 80104  
Email: DDebord@douglas.co.us

with a copy to:

Douglas County Attorney  
100 Third Street  
Castle Rock, CO 80104  
(303) 660-7414

- 1) Said notices shall be delivered personally during normal business hours to the appropriate office above, or by prepaid first-class U.S. mail, via facsimile, or other method authorized in writing by the Authorized Representative. Mailed notices shall be deemed effective upon receipt or three (3) days after the date of mailing, whichever is earlier. The parties may from time to time designate substitute addresses or persons where and to whom such notices are to be mailed or delivered, but such substitutions shall not be effective until actual receipt of written notification.
- b. Entire Agreement. This Agreement represents the entire agreement between the parties and there are no oral or collateral agreements or understandings. Municipality agrees that if the Treasury issues additional guidance, rules or regulations, Municipality will agree to those terms and execute an Amended Agreement, if necessary.
- c. Recitals. The paragraphs contained in the section entitled "Recitals," above, are a material and integral part of this Agreement.
- d. Governing Law and Venue. This Agreement shall be governed by the laws of the State of Colorado. Venue for any action arising under this Agreement or for the enforcement of this Agreement shall be in the District Court for Douglas County, Colorado.
- e. Governmental Immunities.
  - 1) The Parties hereto intend that nothing herein shall be deemed or construed as a waiver by either Party of any rights, limitations, or protections afforded to them under the Colorado Governmental Immunity Act (Section 24-10-101, C.R.S., et seq.) as now or hereafter amended or otherwise available at law or equity.
  - 2) The Parties agree that in the event any claim or suit is brought against either or both Parties by any third party as a result of the operation of this Agreement,



both Parties will cooperate with each other, and with the insuring entities of both Parties, in defending such claim or suit.

- f. Modifications. No modification of this Agreement shall be effective unless agreed to in writing by the Municipality and the County in an amendment to this Agreement that is properly executed and approved in accordance with applicable law.
- g. Continued Performance. Notwithstanding anything herein to the contrary, the Parties understand and agree that all terms and conditions of this Agreement that may require continued performance or compliance beyond the termination date of this Agreement shall survive such termination date and shall be enforceable as provided herein in the event of a failure by a party to perform or to comply under this Agreement.
- h. Appropriation. Notwithstanding any other term, condition, or provision herein, each and every obligation of the Parties stated in this Agreement is subject to the requirement of a prior appropriation of funds therefor by the appropriate governing body of the Municipality and/or the County.
- i. Counterparts. 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. Electronic or facsimile delivery of a fully executed copy of the signature pages below shall constitute an effective and binding execution of this Agreement.
- j. 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.
- k. Successors and Assigns. Except as herein otherwise provided, this Agreement shall inure to the benefit of and be binding upon the Parties hereto and their respective successors and permitted assigns.
- l. Further Assurances. Each Party hereto agrees to execute and deliver, by the proper exercise of its powers, all such other and additional instruments and documents and do all such other acts and things as may be necessary to more fully effectuate this Agreement.
- m. No Third-Party Beneficiaries. This Agreement will not confer any rights or remedies upon any person other than the Parties and their respective successors and permitted assigns.
- n. Assignment. This Agreement may not be assigned by any Party without the prior written consent of the other Party.
- o. Authorization. The Parties hereto stipulate and represent that all procedures necessary to authorize the execution of this Agreement have been performed and that the persons signing for each Party have been authorized to do so.

- p. Electronic Signatures. The Parties approve the use of electronic signatures for execution of this Agreement. All use of electronic signatures shall be governed by the Uniform Electronic Transactions Act, CRS §§ 24 71.3 101 to -121.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be duly authorized and executed.

**BOARD OF COUNTY COMMISSIONERS OF  
THE COUNTY OF DOUGLAS, STATE OF COLORADO**

\_\_\_\_\_  
**Roger A. Partridge, Chair**

\_\_\_\_\_  
**Douglas J. DeBord**      **Date**  
**County Manager**

**APPROVED AS TO FISCAL CONTENT:**

**APPROVED AS TO LEGAL FORM:**

\_\_\_\_\_  
**Andrew Copland**      **Date**  
**Director of Finance**

\_\_\_\_\_  
**Carmen Jackson-Brown**      **Date**  
**Senior Assistant County Attorney**

**TOWN OF CASTLE ROCK:**

**TOWN OF PARKER:**

\_\_\_\_\_  
**Date**

*[On following page]*      **Date**

**CITY OF LONE TREE:**

**CITY OF CASTLE PINES:**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Date**

**TOWN OF LARKSPUR:**

\_\_\_\_\_  
**Date**

**TOWN OF PARKER, COLORADO**

\_\_\_\_\_  
Mike Waid, Mayor

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM AND SUFFICIENCY:

\_\_\_\_\_  
Town Attorney's Office

## EXHIBIT A

The CARES Act requires that the payments from the Coronavirus Relief Fund only be used to cover expenses that:

- (1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
- (2) were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government;
- (3) were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

### 1. Medical Expenses

such as:

- A. COVID-19-related expenses of public hospitals, clinics, and similar facilities.**
- B. Expenses of establishing temporary public medical facilities** and other measures to increase COVID-19 treatment capacity, including related construction costs.
- C. Costs of providing COVID-19 testing, including serological testing.**
- D. Emergency medical response expenses, including emergency medical transportation,** related to COVID-19.
- E. Expenses for establishing and operating public telemedicine capabilities** for COVID-19-related treatment.

### 2. Public Health Expenses

such as:

- A. Expenses for communication and enforcement** by State, territorial, local, and Tribal governments of **public health orders** related to COVID-19.
- B. Expenses for acquisition and distribution of medical and protective supplies,** including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
- C. Expenses for disinfection of public areas and other facilities,** e.g., nursing homes, in response to the COVID-19 public health emergency.
- D. Expenses for technical assistance to local authorities** or other entities on mitigation of COVID-19 related threats to public health and safety
- E. Expenses for public safety measures** undertaken in response to COVID-19.
- F. Expenses for quarantining.**

**3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency**

**4. Expenses of actions to facilitate compliance with COVID-19 related public health measures**

such as:

**A.** Expenses for **food delivery** to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.

**B.** Expenses to facilitate **distance learning, including technological improvements**, in connection with school closings to enable compliance with COVID-19 precautions.

**C.** Expenses to improve **telework capabilities for public employees** to enable compliance with COVID-19 public health precautions.

**D.** Expenses of providing **paid sick and paid family and medical leave to public employees** to enable compliance with COVID-19 public health precautions.

**E.** COVID-19-related expenses of **maintaining state prisons and county jails, including as it relates to sanitation and improvement of social distancing measures**, to enable compliance with COVID-19 public health precautions.

**F.** Expenses for **care for homeless populations** provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.

**5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency**

such as:

**A.** Expenditures related to the provision of **grants to small businesses** to reimburse the costs of business interruption caused by required closures.

**B.** Expenditures related to a State, territorial, local, or Tribal **government payroll support** program.

**C.** **Unemployment insurance** costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the Federal Government pursuant to the CARES Act or otherwise.

**6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.**

**Ineligible expenditures include:**

- Expenses for Medicaid
- Damages covered by insurance
- Payroll or benefit expenses for employees whose work duties are not substantially dedicated to mitigation or responding to the COVID-19 public health emergency
- Expenses that have been or will be reimbursed under any Federal programs, such as the reimbursement by the Federal Government pursuant to the CARES Act of contributions by States to States unemployment funds
- Reimbursement to donors for donated items or services
- Workforce bonuses other than hazard pay or overtime
- Severance pay
- Legal Settlements

## EXHIBIT B

|                                                                                                                                                                                                 |                                                                                                                                                             |                                                                                                                                   |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|--|
| <b>CARES ACT REQUEST FOR REIMBURSEMENT</b>                                                                                                                                                      |                                                                                                                                                             | <b>I. PERIOD COVERED BY THIS REQUEST</b><br>FROM (month, day, year)      TO (month, day, year)<br>March 1, 2020      May 31, 2020 |  |
| <b>II. SUBRECIPIENT ORGANIZATION</b><br>Name: _____<br>Address: _____<br>City, State and ZIP Code: _____                                                                                        |                                                                                                                                                             | <b>III. CONTACT</b><br>Name: _____<br>Email: _____<br>Phone: _____                                                                |  |
| <b>IV. REIMBURSEMENT AMOUNT</b>                                                                                                                                                                 |                                                                                                                                                             |                                                                                                                                   |  |
| <b>Current Expenses</b>                                                                                                                                                                         | <b>Amount</b>                                                                                                                                               | <b>TOTAL</b>                                                                                                                      |  |
| 1. Medical Expenses                                                                                                                                                                             | 1a. COVID-19 related expenses of public hospitals, clinics and similar facilities \$ -                                                                      | \$ -                                                                                                                              |  |
|                                                                                                                                                                                                 | 1b. Establishing temporary public medical facilities and other measures \$ -                                                                                |                                                                                                                                   |  |
|                                                                                                                                                                                                 | 1c. Providing COVID testing \$ -                                                                                                                            |                                                                                                                                   |  |
|                                                                                                                                                                                                 | 1d. Emergency medical response expenses \$ -                                                                                                                |                                                                                                                                   |  |
|                                                                                                                                                                                                 | 1e. Establishing and operating public telemedicine capabilities \$ -                                                                                        |                                                                                                                                   |  |
| 2. Public Health Expenses                                                                                                                                                                       | 2a. Communication and enforcement \$ -                                                                                                                      | \$ -                                                                                                                              |  |
|                                                                                                                                                                                                 | 2b. Acquisition and distribution of medical and protective supplies \$ -                                                                                    |                                                                                                                                   |  |
|                                                                                                                                                                                                 | 2c. Disinfection of public areas and other facilities \$ -                                                                                                  |                                                                                                                                   |  |
|                                                                                                                                                                                                 | 2d. Technical assistance to local authorities or other entities \$ -                                                                                        |                                                                                                                                   |  |
|                                                                                                                                                                                                 | 2e. Public safety measures \$ -                                                                                                                             |                                                                                                                                   |  |
|                                                                                                                                                                                                 | 2f. Quarantining individuals \$ -                                                                                                                           | \$ -                                                                                                                              |  |
| 3. Payroll Expenses                                                                                                                                                                             | 3a. Public safety, public health, health care, human services, and similar employees whose services are dedicated to mitigating/responding to COVID-19 \$ - | \$ -                                                                                                                              |  |
| 4. Facilitate Compliance                                                                                                                                                                        | 4a. Food delivery to residents \$ -                                                                                                                         | \$ -                                                                                                                              |  |
|                                                                                                                                                                                                 | 4b. Facilitate distance learning \$ -                                                                                                                       |                                                                                                                                   |  |
|                                                                                                                                                                                                 | 4c. Improve telework capabilities for public employees to enable compliance \$ -                                                                            |                                                                                                                                   |  |
|                                                                                                                                                                                                 | 4d. Expenses of providing paid sick and paid family and medical leave to public employee \$ -                                                               |                                                                                                                                   |  |
|                                                                                                                                                                                                 | 4e. COVID-19-related expenses of maintaining state prisons and county jails. \$ -                                                                           |                                                                                                                                   |  |
|                                                                                                                                                                                                 | 4f. Care for homeless populations \$ -                                                                                                                      | \$ -                                                                                                                              |  |
| 5. Economic Support                                                                                                                                                                             | 5a. Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption \$ -                                | \$ -                                                                                                                              |  |
|                                                                                                                                                                                                 | 5b. Expenditures related to a local government payroll support program \$ -                                                                                 |                                                                                                                                   |  |
|                                                                                                                                                                                                 | 5c. Unemployment insurance costs related to the COVID-19 public health emergency \$ -                                                                       |                                                                                                                                   |  |
| 6. Other Expenses                                                                                                                                                                               | 6a. Any other COVID-19 related expenses \$ -                                                                                                                | \$ -                                                                                                                              |  |
| <b>Total Amount Requested</b>                                                                                                                                                                   |                                                                                                                                                             | <b>\$ -</b>                                                                                                                       |  |
| <b>V. CERTIFICATION</b>                                                                                                                                                                         |                                                                                                                                                             |                                                                                                                                   |  |
| I certify to the best of my knowledge that the expenses included in this reimbursement accurately reflects costs incurred and all expenses are in accordance with Section 5001(d) of the CARES: |                                                                                                                                                             |                                                                                                                                   |  |
| (1) are necessary expenditures incurred due to the public health emergency with respect to Coronavirus Disease 2019 (COVID-19);                                                                 |                                                                                                                                                             |                                                                                                                                   |  |
| (2) were not accounted for in the budget most recently approved as of the date of enactment [March 27, 2020] of this section for the local government; and                                      |                                                                                                                                                             |                                                                                                                                   |  |
| (3) were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.                                                                                                 |                                                                                                                                                             |                                                                                                                                   |  |
| Signature of Certifying Official: _____                                                                                                                                                         | Date Requested Submitted: _____                                                                                                                             |                                                                                                                                   |  |